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Volume I
No. 1 — 21

Wednesday
23rd July, 1952

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part I - Questions and Answers)

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Members Sworn [Cols. 2—18].

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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

HOUSE OF THE PEOPLE

Wednesday, 23rd July, 1952

The House met at a Quarter Past Eight of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

WOMEN CADETS

***2024. Sardar Hukam Singh:** (a) Will the Minister of **Defence** be pleased to state whether any women Cadets have so far been admitted to the National Defence Academy, Dehra Dun?

(b) What was the number of gentleman Cadets who completed their training during 1951-52 in this Academy and who were commissioned as officers?

(c) What is the number of Cadets now receiving training there?

The Minister of Defence (Shri Gopalaswami): (a) No.

(b) 253.

(c) Joint Services Wing—485.
Military Wing—525.

Sardar Hukam Singh: How many examinations were held during the year and what was the acceptance rate?

Shri Gopalaswami: I think, Sir, I answered this question previously. The figures are not immediately available to me.

Shri Dabhi: How much annual expenditure is being incurred on this account?

Shri Gopalaswami: I should like to have notice.

Sardar Hukam Singh: What was the number of foreigners that took part in these courses on a reciprocal basis?

Shri Gopalaswami: I am sorry I could not give the information.

Sardar Hukam Singh: What was the number of our cadets that were sent abroad during this year?

Shri Gopalaswami: Sir, those figures do not really arise out of this question. I have no information.

Shri S. N. Das: Arising out of the answer to part (b) of the question, may I know, Sir, what was the number of the gentleman-cadets who were commissioned as officers out of the National Cadet Corps?

Shri Gopalaswami: Well, I can give figures for gentlemen-cadets on 8th June 1952 and 26th July 1952 who have passed out or will pass out, outside the period to which the figures in answer to (b) relate, if that is what the hon. member wants.

Shri S. C. Samanta: May I know, Sir, whether there is any other arrangement for the training of women cadets in any other institution in India?

Shri Gopalaswami: Women cadets are admitted to the National Cadet Corps in some of the States; beyond that there is no other institution.

Ch. Raghubir Singh: May I know, Sir, how many cadets were admitted in 1951-52?

Shri Gopalaswami: These are all questions which do not arise out of this.

Shri Velayudhan: May I know, Sir, whether the method of training is different with regard to women cadets and whether the responsibilities are also different?

Shri Gopalaswami: As a matter of fact, there are no women candidates at all here.

Sardar Hukam Singh: Were any special features introduced in the courses of training for these cadets since we got our freedom?

Shri Gopalaswami: Special features? I do not know what the hon. member is referring to. If he could mention any specific thing, I can find out.

Sardar Hukam Singh: I want to know whether the courses of training that was given to these cadets during British times are still continuing identically or any changes have been introduced in their training since we got our freedom?

Shri Gopalaswami: Well, Sir, a great many changes have been introduced since the British left.

SALT RESEARCH STATION

***2025. Shri Shivananjappa:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether there is a proposal to establish a Salt Research Station in India;

(b) if so, when and where it is to be started; and

(c) the details of cost and management be given to the House?

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) to (c). Yes, Sir. It is proposed to establish a Salt Research Station at Bhavnagar in Saurashtra under the administrative control of the Council of Scientific and Industrial Research.

A statement giving the required information is laid on the Table of the House. [*See* Appendix X, annexure No. 1.]

Shri Shivananjappa: What is the progress made by this Salt Research Station up till now?

Shri K. D. Malaviya: The scheme has just started; the Saurashtra Government have leased out land and buildings to the Government of India for starting the work.

Shri Shivananjappa: Do they conduct research both in common salt as well as in chemical salts?

Shri K. D. Malaviya: Yes, Sir. The object of the Research Station is to carry out experiments in all salts.

Shri Punnoose: May I know, Sir, the circumstances that make this research necessary?

Shri K. D. Malaviya: Sir, it was felt that the steps were necessary to improve the quality of salt produced in the country and also to make it cheap and, therefore, to standardize it and also to utilise the by-products. For these reasons it was considered necessary to set up this Research Station.

Shri Nana Das: May I know, Sir, the progress of the Salt Research Station at Wadala in Bombay?

Shri K. D. Malaviya: Sir, under the scheme certain salt 'pilot' farms have also been proposed and Wadala is one of those places where it is going to be set up.

Shri M. S. Gurupadaswamy: May I know, Sir, whether any foreign expert has been invited to aid research?

Shri K. D. Malaviya: I am not aware of any foreign expert being invited.

Sardar Hukam Singh: Would there be a model farm in this Station which is set up in Saurashtra?

Shri K. D. Malaviya: Yes, Sir. It is proposed to be set up under the scheme.

श्री एम० एल० द्विवेदी : क्या माननीय मंत्री से मैं यह पूछ सकता हूं कि सौराष्ट्र में जिस स्थान पर साल्ट रिसर्च स्टेशन बनाया है, वहां पर रिसर्च के लिए क्या सुविधाएं हैं ?

श्री के० डी० मालवीय : सौराष्ट्र इस प्रकार की रिसर्च के लिए एक सुविधाजनक स्थान है, इस लिए भावनगर चुना गया कि वहां पर यह रिसर्च स्टेशन क़ायम किया जाये ।

PRICES OF CEREALS, GOLD AND SILVER

***2026. Dr. P. S. Deshmukh:** Will the Minister of **Finance** be pleased to state:

(a) the lowest prices reached in 1952 per maund of cereals, pulses, raw-cotton, and oil-seeds and also of gold and silver; and

(b) what are the prices in each case on 1st June, 1952?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). A statement giving the necessary information is placed on the Table of the House. [*See* Appendix X, annexure No. 2.]

Dr. P. S. Deshmukh: Sir, have the prices, especially of raw cotton, now been stabilised and if so, what is the percentage of increase over the lowest figures reached by raw cotton?

Shri C. D. Deshmukh: In regard to the second part of the question, the hon. member can get the information, as the figures are given in the statement and he can work out the percentage. As to the first part, it is very difficult to say at any stage if prices have become stabilised.

Dr. P. S. Deshmukh: Has the hon. Minister calculated the national gain as a result of this temporary slump in prices of raw cotton? If so, what is the amount or how does he calculate it?

Shri C. D. Deshmukh: No, Sir

Dr. P. S. Deshmukh: What assistance does Government propose to give in similar circumstances in the next year, if such circumstances arise?

Mr. Speaker: Order, order.

Shri K. Subrahmanyam: Has the decision to stop the food subsidies to the States been prompted by a desire to offset the general fall in prices?

Shri C. D. Deshmukh: No, Sir.

Shri Bansal: Are Government going to take any steps to arrest the rise in prices which has been taking place in recent months?

Shri C. D. Deshmukh: Well, Sir, over a short term it is not possible to formulate a policy in regard to arresting the rise in prices. It must be remembered that we are considering prices today as compared with the lowest prices reached in March and it may be that there is nothing disquieting in the rise that has taken place so far.

ACADEMY OF DANCE, DRAMA AND MUSIC

*2031. **Dr. Ram Subhag Singh:** Will the Minister of **Education** be pleased to state:

(a) whether Government propose to establish an Indian Academy of Dance, Drama and Music;

(b) when this academy is expected to start functioning; and

(c) the cost involved in establishing this academy?

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes, Sir.

(b) The Academy is in the process of being formed.

(c) No exact estimate can be given at this stage.

Dr. Ram Subhag Singh: May I know whether Government proposes to create a cultural trust for organising the literary and musical activities of the country?

Shri K. D. Malaviya: That is a suggestion for action, Sir.

Dr. Ram Subhag Singh: It is not a suggestion, Sir.

Mr. Speaker: It is a suggestion. In fact, I was going to remark that it was a suggestion for action but if the hon. Minister was going to reply I had no objection.

Shri H. N. Mukerjee: Is Government aware of the good work done in this direction by non-official organisations like the Indian People's Theatre Association to which the Prime Minister bore testimony, and also of the discouragement which is given to such organisations as by the discharge of Central Government employees on account of association with the Indian People's Theatre Association?

Mr. Speaker: Order, order. It is giving information......

Shri Kelappan: Will the Government be pleased to consider the desirability of helping with funds institutions started by the distinguished artists as it will be more fruitful?

Shri K. D. Malaviya: Government will certainly consider sympathetically any cases that are brought to their notice.

Dr. P. S. Deshmukh: Has the Government taken a census of institutions which teach dancing, drama and music and, if so, how many institutions of each kind are there in the country?

Shri K. D. Malaviya: I require notice to answer this question.

Shri T. S. A. Chettiar: May I know whether the music and drama referred to include also Karnatak music of South India?

Shri K. D. Malaviya: Certainly.

Shri V. P. Nayar: May I know whether this Academy will take up the popularisation of Kathakali and Bharatanatyam?

Mr. Speaker: I think he is going into details.

Shri S. N. Das: In view of the fact that this Academy of music, drama and dancing is going to be started, may I know whether the proposal of starting a Hindustani Music Academy which was to have been located at Lucknow has been abandoned?

Shri K. D. Malaviya: This question relates to the creation of a National

Academy at Delhi. The Government are also considering the question of setting up some regional academies of music, dancing etc.

Dr. P. S. Deshmukh: Has the development of dance, drama and music been included in the Five Years Plan and, if so, what is the provision of money being made for that?

Mr. Speaker: Order, order.

LOANS FOR HOSTELS

*2032. **Shri S. N. Das:** Will the Minister of **Education** be pleased to state:

(a) the number and names of institutions to whom interest free loans were given for the construction of students hostel under the scheme of the All India Council for Technical Education during 1950-51, 1951-52, giving the amount in each case;

(b) which of them have already constructed such hostels; and

(c) the number of institutions whose applications for loans are still under consideration?

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) A statement is laid on the Table of the House. [*See* Appendix X, annexure No. 3.]

(b) Four institutions, namely, College of Engineering, and College of Mining and Metallurgy, Banaras Hindu University, Lakshminarayan Institute of Technology, Nagpur, and the Victoria Jubilee Technical Institute, Bombay, have completed the construction of the hostels.

(c) All the recommendations regarding loans made under the All-India Council's scheme have been given effect to.

Shri S. N. Das: May I know the names of the institutions from whom requirements were received and considered but loans were not granted?

Shri K. D. Malaviya: Twelve institutes were recommended for help by the All-India Council of Technical Education. Some of these have completed their buildings and all the help promised to them has been given. Others also have been given help but the work has not progressed to completion. There are about six such institutes and their position is as follows. Sir, if you want that I should read it out I shall do so.

Mr. Speaker: Not necessary.

Shri S. N. Das: I wanted to know the names of those institutes from whom requirements were received and considered but loans were not granted.

منسٹر آف ایجوکیشن اینڈ نیچرل ریسورسیز اینڈ سائنٹیفک ریسرچ (مولانا آزاد): میں یه صاف کر دوں که نه تو گورنمنٹ اس بارے میں ڈائرکٹ درخواستوں پر غور کرتی ھے - نه ڈائرکٹ مدد دیتی ھے - ایک کونسل قائم ھے اس کے پاس درخواستیں بھیجی جاتی ھیں - وہ انکوائری کرتی ھے - ضرورت ھوتی ھے تو اپنی کمیٹی بٹھاتی ھے اور پھر غور کرنے کے بعد اپنی سفارشیں گورنمنٹ کے پاس بھیجتی ھے - جن کے لئے گورنمنٹ کے پاس سفارش آئی تھی ان سب کو مدد دی گئی -

[**The Minister of Education and Natural Resources and Scientific Research (Maulana Azad):** I want to make it clear that the Government neither deals with the applications in this connection direct, nor gives any direct assistance to the applicants. There is a Council for this purpose which receives applications, makes enquiries, and, if necessary, appoints a committee to go through the cases. After considering the various cases it makes its recommendations to the Government. All the cases that have been recommended for assistance, so far, have been given assistance.]

Shri S. N. Das: May I know how long this scheme will continue?

Shri K. D. Malaviya: So far as these twelve institutes are concerned the recommendations are complete and financial help completed. Certain other applications on *ad hoc* basis have also been made and they are being considered by the Government.

Shri Velayudhan: May I know whether Government is aware that the hostel attached to the Lakshminarayan Institute in Nagpur is not admitting Scheduled Caste students in that Institute?

Mr. Speaker: Order, order.

श्री गणपति राम : जैसा कि माननीय मंत्री महोदय ने बतलाया है कि बनारस युनिवर्सिटी के माइनिंग और मेटलर्जी होस्टल के बनाने के लिये रुपया दिया गया है, क्या मैं जान सकता हूं कि वह कितना रूपया दिया गया है ?

श्री के० डी० मालवीय : कुल तीन लाख सत्रह हज़ार की रक़म देने का वादा किया गया था जो कि सब की सब दी जा चुकी है।

Shri Velayudhan *rose*—

Mr. Speaker: If the hon. Member is going to put questions of that type he had better not put them.

Shri Velayudhan: I want to put it in another form.

Mr. Speaker: Next question.

BIRSI AERODROME

***2033. Shri Jasani:** Will the Minister of **Defence** be pleased to state:

(a) the total area of land acquired by Government for the Birsi Aerodrome situated in Bhandar District of Madhya Pradesh;

(b) the area utilised for aerodrome purpose; and

(c) the area of land cultivable at present and how is it utilised?

The Minister of Defence (Shri Gopalaswami): (a) 1,145·39 acres.

(b) 39·25 acres.

(c) The area of the cultivable land is not readily available but all the areas outside the airfield proper are being utilised by the Madhya Pradesh Government.

Shri Jasani: What was the total cost incurred by Government for the construction of this aerodrome?

Shri Gopalaswami: The land itself was acquired in March 1943 on payment of Rs. 1,53,647.

Shri Jasani: I want to know the total cost including the cost of all the structures therein.

Shri Gopalaswami: I should like to have notice of that.

Shri Jasani: May I know in what year the construction of this aerodrome was undertaken, that is when was this land acquired and from how many tenants?

Shri Gopalaswami: The land was acquired in March, 1943. I am afraid I have not got the number of people from whom the purchase was made.

Shri Jasani: In view of the fact that the major portion of the land is lying uncultivated, does Government think of returning the land to the original tenants or their successors?

Shri Gopalaswami: The runways which alone have been retained for emergency purposes cover 39·25 acres. The rest of the airfield is not required for defence purposes. An area of about 1100 acres has been handed over to the Madhya Pradesh Government whose Rehabilitation Department was using it till recently. It is understood they want it for their Special Armed Police Constabulary now. It is not very clear as to how much of the land they will be prepared to make available for restoration to the original owners.

Shri Jasani: Have any applications been received from the original tenants for returning their land so that they may cultivate them again?

Shri Gopalaswami: Yes, Sir. Representations were received in September 1951 and they were sent to the Deputy Commissioner for report. He reported that only about 25 acres could be leased out without affecting the safety of aircraft.

Shri Jasani: By what time will these applications be disposed of?

Shri Gopalaswami: I do not think any of them are likely to be accepted.

Dr. P. S. Deshmukh: Is it a fact that there is a huge number of structures in this area not being used for many years?

Shri Gopalaswami: There is. As I said, many of them were used by the Madhya Pradesh Government by their Rehabilitation Department. They now propose to use some of these barracks for their Armed Constabulary.

Dr. P. S. Deshmukh: Is it a fact that the Government of India are asking for payment for handing over these barracks to the Madhya Pradesh Government?

Shri Gopalaswami: For the time being, we have not asked for any payment, but the whole scheme as regards housing the Armed Constabulary has yet to be finalised.

ILLICIT SALE OF A WIRELESS SET AT MHOW

***2034. Shri N. L. Joshi:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that a wireless set prepared out of the parts belonging to Government was sold to the Government at Mhow by the Army Contractor;

(b) if so, whether Government has enquired into the case;

(c) how many persons are involved in the case and who are they; and

(d) what was the result of the enquiry?

The Minister of Defence (Shri Gopalaswami): (a) No. A wireless set which was assembled by an officer of the School of Signals was, however, purchased by the School through the Army Contractor. The components used in this set were the personal property of the officer, but the facilities of the School in the form of testing gear and laboratory equipment were used by the officer for the development of the transmitter in addition to certain Government labour and material.

(b) It was felt that the transaction was not normal and a Court of Inquiry was held to investigate the matter.

(c) Three persons—The officer who assembled the set, the then Commandant of the School and an Army Contractor, were connected with this purchase.

(d) The Court of Inquiry blamed the officer who assembled the set for the irregular manner in which its sale was effected through the contractor. Disciplinary action against the officer was ordered, but had to be dropped as the Summary of evidence recorded in the case did not disclose any material on which the officer could be successfully prosecuted. The officer was, however, censured. The Commandant of the School has already left the service.

Shri Badshah Gupta: May I know if no departmental punishment could be given?

Shri Gopalaswami: It could not be given. The matter was referred to our legal advisers and we were informed that no prosecution was possible.

Mr. Speaker: He is enquiring about departmental action.

Shri Gopalaswami: In the circumstances of this case, nothing more than a censure was justified.

LEVY OF STATE TAXES ON UNION PROPERTY

***2036. Shri S. N. Das:** Will the Minister of **Finance** be pleased to state whether in any State, any authority continues to levy any tax on any property of the Union to which such property was immediately before the commencement of this Constitution liable as envisaged in Article 285 (2)?

The Minister of Finance (Shri C. D. Deshmukh): Yes, Sir. The local authorities continue to levy the taxes that were being paid on properties of the Union when the Constitution came into force.

N. C. C.

***2037. Shri K. Subrahmanyam:** Will the Minister of **Defence** be pleased to state whether members of political parties are eligible for recruitment to the National Cadet Corps?

The Minister of Defence (Shri Gopalaswami): Active members of political or communal organisations and persons belonging to organisations believing in violence or communal disharmony are debarred from recruitment to the National Cadet Corps.

Shri K. Subrahmanyam: May I know whether the National Cadet Corps has even been used to suppress a strike or political activity; if so, when and where and what are the details of the casualties?

Shri Gopalaswami: I do not think it is used for that purpose.

Shri T. K. Chaudhuri: May I know what are the parties that are considered as parties believing in violence, and from the Defence Ministry's point of view what are the criteria that lead to that conclusion?

Shri Gopalaswami: The parties have to be judged from time to time. For instance, if my hon. friends on the opposite side say that they do not believe in violence, they will not be put under this ban.

Shri Raghavaiah: In view of the answer given by the Defence Minister that if any political parties believe in violence they will not be admitted into the National Cadet Corps, may I know whether the defence of this country is based upon the philosophy of non-violence and if so, why is so much expenditure incurred?

Mr. Speaker: Order, order. He is arguing and expressing opinions.

Shri Raghavaiah: I want to know at least whether it is based on non-violence.

Mr. Speaker: He need not insist.

Shri Punnoose: May I know whether the National Cadet Corps is a non-violent army and is that the reason for denying admission into it for parties who believe in violence?

Mr. Speaker: Order, order. This hon. Member also is expressing an opinion and arguing.

Shri K. K. Basu: Has the Government got any specific list containing the names of parties who are alleged to have belief in violence?

Shri Gopalaswami: We have a list, but it is not in the public interest to disclose the names.

Dr. N. B. Khare: Does the National Cadet Corps ply the charka?

Mr. Speaker: Order, order. We will go to the next question.

MILITARY CAMPS

***2030. Shri S. V. Ramaswamy:** Will the Minister of **Defence** be pleased to state:

(a) how many military camps built during the world war II are still in use of the Military department. and how many have been abandoned;

(b) whether the ground sites of those camps are requisitioned or acquired; and

(c) how many such camps have been utilised for hospitals and T. B. sanatoria?

The Minister of Defence (Shri Gopalaswami): (a) During the World War II, 7,679 military projects were constructed out of which 2,638 are still in use by Defence Services and the remaining 5,041 have since been abandoned.

(b) The position of tenure of land under these camps is as follows:—

Number of Camps.	Belonging to Govt. or Acquired lands.	Hired or Requisitioned lands.
2,638	2,166	472

(c) As far as is known three of the projects so far sold to State Governments are being used as Hospitals or sanatoria.

Shri S. V. Ramaswamy: What is the total amount that has been spent on these military camps and what is the value respectively of the camps which have been utilised by Government and of the camps which have been abandoned by Government?

Shri Gopalaswami: During the war, properties in large numbers and of heavy values were requisitioned or hired. The total number of such properties was 14,414 and the annual rental liability was Rs. 6 crores and 33 lakhs. On the 1st May last, 714 hired or requisitioned properties with an annual rental liability of Rs. 56,79,705 were held in charge of the Lands Hiring and Disposal Service under the Defence Ministry, and of course there are particulars of these requisitioned buildings and hired buildings, and requisitioned land and hired lands. If there is any further information which the hon. Member wants, I shall supply it.

Shri S. V. Ramaswamy: Are the Government preparing any scheme for acquiring the ground sites of all those properties which have been merely requisitioned?

Shri Gopalaswami: One of the conditions of requisitioning is that when the land is not required for government purposes, either for the Defence Department or for other departments, these lands should be restored to the original owners. In some cases they have been utilised by other departments; in other cases they have been retained for the Defence Department and in some others lands have been restored to owners.

Shri S. V. Ramaswamy: Sir, crores have been spent for constructing buildings on requisitioned lands. Is it not proper to acquire those properties?

Mr. Speaker: Order, order. What is the information that he wants?

Shri S. V. Ramaswamy: Do Government have any schemes for acquiring the lands also, so that the superstructures also may be there?

Mr. Speaker: He is repeating the same question in a different form.

Shri N. M. Lingam: Do these camps include holiday homes also?

Shri Gopalaswami: For the Defence Services?

Shri N. M. Lingam: Yes.

Shri Gopalaswami: Certainly; they do.

Shri T. S. A. Chettiar: I understand that about 400 of these are on rented property. Is it the intention of Government to continue these?

Shri Gopalaswami: They are slowly being got rid of. We have got to make enquiries of other departments as also of other Governments as to whether they want these lands and how they propose to acquire the ownership of the land in each case.

Dr. P. S. Deshmukh: What is the total area covered by all these camps?

Shri Gopalaswami: I am afraid I have not got that information here.

Shri Dabhi: May I know the places where these hospitals and T.B. sanatoria are situated?

Shri Gopalaswami: I have not got full information in regard to these, but I can mention a few cases. Aundh Hospital, Poona, Lake Medical College, Calcutta and C.M. Hospital, Cuttack.

Shri H. N. Mukerjee: Have any of these camps been turned over for purposes of refugee rehabilitation and if so, what is their number?

Shri Gopalaswami: Some of them have been turned over to that purpose. I am sorry I am unable to give the number.

Pandit Munishwar Datt Upadhyay: May I know, Sir, what is the total area of the land that has been restored to the original owners till now?

Shri Gopalaswami. I must ask for notice.

Shri Raghavaiah: In view of the ever increasing rise of T.B. victims in the country, do Government propose to transform at least half of these camps into T.B. Sanatoria and hospitals?

Mr. Speaker: I think, it is a suggestion for action.

Shri M. L. Dwivedi: I would like to put question No. 2027.

Mr. Speaker: It is in the name of Seth Govind Das; has the hon. member got any authority from him?

Shri M. L. Dwivedi: No, Sir. It is in the public interest.

Mr. Speaker: I do not think I can permit that. He must have the authority from the hon. member who has tabled the question.

WRITTEN ANSWERS TO QUESTIONS

आयकर जांच आयोग

*२०२७. **सेठ गोविन्द दास** : क्या वित्त मंत्री यह बतलाने की कृपा करेंगे :

(क) १९५१-५२ में आयकर जांच आयोग और उस के संस्थापन आदि के ऊपर किया गया कुल व्यय, तथा

(ख) इस अवधि में इस आयोग द्वारा कुल कितना कर मिला ?

The Minister of State for Finance (Shri Tyagi): (a) Rs. 8,87, 567.

(b) The tax on concealed income reported by the Commission during the year 1951-52 was Rs. 10.28 crores. The amount collected during the same period in cases disposed of by the Commission amounted to Rs. 2.70 crores.

संयुक्त स्कंध समवाय

*२०२८. **सेठ गोविन्द दास** : क्या वित्त मंत्री यह बतलाने की कृपा करेंगे कि १९५१-५२ में कितने संयुक्त स्कंध समवायों की जांच की गई ?

The Minister of Finance (Shri C. D. Deshmukh): Investigation under section 138 of the Indian Companies Act was undertaken into the affairs of seventeen companies during 1951-52.

किचनर कालेज

*२०२९. **श्री आर० एस० तिवारी** : क्या रक्षा मंत्री यह बतलाने की कृपा करेंगे कि :

(क) क्या सरकार को पता ह कि विंध्येप्रदेश में नौगांव स्थित किचनर कालेज अब बन्द कर दिया गया है;

(ख) क्या किचनर कालेज के अतिरिक्त किसी दूसरे स्थान पर प्रशिक्षण देने के लिए वैंकल्पिक प्रबन्ध किये गए हैं और किये गये हैं तो कहां पर, अथवा क्या प्रशिक्षण बिल्कुल समाप्त कर दिया गया है; तथा

(ग) सरकार उक्त कालेज की इमारतों का क्या उपयोग करना चाहता है ?

The Minister of Defence (Shri Gopalaswami): (a) Yes.

(b) No. Pre-cadet training, which was given at this College is now not considered necessary.

(c) Government propose to move the King George Military College from Jullundur to Nowgong and house it in the buildings of the former Kitchner College.

BOMBAY STATE ROAD TRANSPORT CORPORATION

***2035. Sardar Hukam Singh:** Will the Minister of **Finance** be pleased to state:

(a) whether the Bombay State Road Transport Corporation has been chosen as the project to be aided under the Colombo Plan;

(b) the reason why the Bombay State Road Transport Corporation has been selected;

(c) was any other State Transport undertaking considered fit for giving this aid; and

(d) if not, the reason for the same?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes, Sir. This is one of the projects agreed to be aided under the Colombo Plan.

(b) to (d). The selection of projects to be aided is generally done out of those included in the Five Year Plan in consultation with the assisting country. In special cases, some other project is selected to match availabilities in the assisting country. In the latter event, only such schemes, the full details of which are known to the Government of India, can be considered.

RATE BOOK OF NAVAL STORES

506. Shri N. S. Nair: Will the Minister of **Defence** be pleased to state what progress has been made in the compilation of an up-to-date Indian Rate Book of Naval Stores?

The Minister of Defence (Shri Gopalaswami): Rates in respect of Naval Stores procured in India have been finalised and the Lists are under print. As regards imported stores, rates have been fixed for all items except Steel and other metal articles and wireless and electrical equipment. Pricing of these articles is expected to be completed shortly.

GEOLOGICAL SURVEY OF BHOPAL STATE

507. Pandit C. N. Malviya: Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether it is a fact that Sir Cyrill Fox made a geological survey of Bhopal State in 1948-49 and submitted his report to the State Government in 1949; and

(b) if so, whether the report gives some valuable information and what are they?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Yes, Sir.

(b) The State Government consider that the report contains valuable information. A copy of the report is being obtained and will be placed in the Library of the House.

NATIONAL SAVINGS SCHEME

508. Shri Krishna Chandra: Will the Minister of **Finance** be pleased to state:

(a) the amount invested during the year 1951-52 in the National Savings Certificate of the denomination of ten rupees, fifty rupees and hundred rupees separately: and

(b) the total amount of investment on March 31, 1952 of small rural area investors *viz.*, those having credit balance of not more than two hundred rupees in the form of National Savings Certificates?

The Minister of Finance (Shri C. D. Deshmukh): (a) About Rs. 17.18 lakhs Rs. 23.47 lakhs and Rs. 199.21 lakhs respectively.

(b) I am afraid this information can be collected only by examination of the records in the post offices in the rural areas all over the country for many years and this will involve a large amount of time and labour not commensurate with the results likely to be achieved.

SOAP-STONE

509. Shri Balwant Sinha Mehta: Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) which are the principal producing areas for Soap-stone in India;

(b) what are the total requirements of the country;

(c) what percentage of it is mined in Rajasthan and exported outside;

(d) of what place the Soap-stone is deemed to be best and in what quantity it is available;

(e) where it is mostly exported to; and

(f) how much Dollar and Sterling is earned by it annually?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) to (f). A statement giving the information available is laid on the Table of the House. [*See* Appendix X, annexure No. 4]

HIGH SCHOOLS IN TRIPURA

510. **Shri Biren Dutt:** Will the Minister of **Education** be pleased to state:

(a) the number of non-Government High Schools in Tripura; and

(b) the aid the Education Ministry proposes to give to them?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) 15.

(b) Provision of Rs. 21,300/- has been made in the budget for 1952-53 for grants-in-aid to non-Government Secondary Schools in Tripura.

PRINCE OF WALES MILITARY COLLEGE, DEHRA DUN

511. **Shri J. N. Hazarika:** Will the Minister of **Defence** be pleased to state:

(a) the number of candidates seeking admission into Prince of Wales Military College at Dehra Dun in 1950, 1951 and 1952; and

(b) the number admitted so far?

The Minister of Defence (Shri Gopalaswami): (a) and (b). The required information is given in the statement below:—

Year	No. of candidates who sought admission.	No. of candidates admitted.
1950	98	36
1951	158	33
1952	177	30

EMPLOYMENT OF EX-SERVICEMEN

512. **Dr. P. S. Deshmukh:** Will the Minister for **Defence** be pleased to state:

(a) what was the number of discharged servicemen in each of the years 1949-50, 1950-51 and 1951-52;

(b) how many of these were given employments;

(c) how many of them were under training;

(d) how many of them were employed after training;

(e) what is the number which is (i) still unemployed and (ii) untrained;

(f) what were the arrangements for training in each of the above years; and

(g) what was the maximum number of personnel that could be trained in each year?

The Minister of Defence (Shri Gopalaswami): (a) The total number of personnel released from the Indian Army during the calendar years is as under:—

Year	Released
1949	17,419
1950	6,798
1951	13,275
Jan. to May 1952	1,309
TOTAL	38,801

In addition to the above, 38,156 State Forces personnel were released during the years 1950 and 1951 as a result of the integration of the State Forces with the Indian Army.

(b) Information as to how many from among (a) were given employment is not available, but the total number of ex-servicemen including those who were released prior to 1949 placed in employment through the Employment Exchanges is:—

Year	Employed
1949-50	19,081
1950-51	18,768
1951-52	24,349
TOTAL	62,198

(c) The number of ex-servicemen including those released prior to 1949 who have undergone training is:—

Year	Trained
1949-50	9,895
1950-51	2,637

Information for 1951-52 is not available as no seperate statistics regarding ex-servicemen were maintained by the Ministry of Labour who had combined ex-servicemen training with their civilian training scheme.

(d) The number of trained ex-servicemen placed in employment through the Employment Exchanges during the years 1949-50 ... 744; 1950-51 933; 1951-52 ... about 443 (complete figures not yet available).

(e) (i) The number of ex-servicemen registered as unemployed with the Employment Exchanges as on 31-5-52 was 24,967.

(ii) Not available.

(f) Training was imparted in 1949-50 at the Training Centres of the

DGRE, Ministry of Labour under the scheme for Technical and Vocational Training of demobilized services personnel and in 1950-51 and 1951-52 under the Adult Civilian Training Scheme.

(g) There is no fixed maximum for the number of ex-servicemen who could be trained each year but the total number of seats available in the Vocational/Technical Training Centres under the Labour Ministry for both ex-servicemen and civilians is:—

In the year 1949	10,000
,, ,, ,, 1950	10,000
,, ,, ,, 1951	9,508

आयकर

५१३ **सेठ गोविन्द दास :** क्या वित्त मंत्री यह बतलाने की कृपा करेंगे कि १९५१-५२ वर्ष में पांच हजार या इस से कम आय वाले लोगों से कुल कितना आयकर प्राप्त हुआ ?

The Minister of State for Finance (Shri Tyagi): Since classified statistics of income-tax revenue according to income groups are maintained for the demand raised, but not for the collections, the figures of actual collection made from the group of assessees having income of Rs. 5,000 or less are not available. The amount of tax assessed on incomes up to Rs. 5,000 was, however, Rs. 2 crores and 30 lakhs during 1950-51. Complete figures are yet not available for the year 1951-52.

SUPPLY OF WATER IN RANIKHET CANTONMENT

514. **Shri Bansal:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the supply of water in Ranikhet Cantonment for civilian consumption has been greatly reduced as a result of proportionately larger supply to the military;

(b) whether it is a fact that there is a lot of discontentment among the civilian population on account of the above; and

(c) whether Government propose to take some steps to set the matters right?

The Minister of Defence (Shri Gopalaswami): (a) No.

(b) No. There is, however, a demand for more water.

(c) Yes. Steps are being taken to improve the water supply, by doubling the pipe line from the source to the distributing centres.

GENERAL ELECTIONS

515. **Shri S. C. Samanta:** Will the Minister of **Law** be pleased to state:

(a) the names of persons who were elected from more than one constituency in the last general elections to

(i) Parliament,

(ii) Parliament and State Legislatures,

(iii) State Legislatures;

(b) have all the seats thereby falling vacant been filled up by bye-elections; and

(c) what was the additional expenditure which Government had to incur to hold those bye-elections?

The Minister of Law and Minority Affairs (Shri Biswas): (a) The names of the persons who were elected from more than one constituency in the last elections are as under:—

(i) *Parliament*—Shri V. G. Deshpande.

(ii) *Parliament and the State Legislatures*—

(1) Shri P. U. R. Thanhiira
(2) Shri Mahamad Roufique
(3) Shri Lal Bahadur Shastri
(4) Shri U. Muthuramalinga Thevar
(5) Shri K. Mohan Rao
(6) Shri Pendyal Raghava Rao
(7) Shri N. M. Jaisoorya
(8) Shri Ravi Narayana Reddi
(9) Shri Ram Karan Joshi
(10) Shri Hanwant Singh
(11) Shri N. Sreekantan Nair and

(iii) *State Legislature(s)*—

(1) Shri Sagar Mohan Phatak
(2) Shri Kamakshya Narain Singh
(3) Shri Radha Krishna Pal
(4) Shri Tika Ram Paliwal.

(b) The particulars of the seats which have fallen vacant thereby and have been filled up by bye-elections are as follows:—

(1) Gwalior (House of the People)
(2) Aruppukkottai (House of the People)
(3) Jaipur-Sawai Madhopur (House of the People)
(4) Jodhpur (House of the People)

(5) Aijal-East (Assembly—Assam)
(6) Kakinada (Assembly—Madras)
(7) Jodhpur (Assembly—Rajasthan)
(8) Mahagama (Assembly—Bihar)
(9) Gomia (Assembly—Bihar)
(10) Bagodar (Assembly—Bihar)
(11) Petarbar (Assembly—Bihar)
(12) Goghat (Assembly—West Bengal)
(13) Malarna Chour (Assembly—Rajasthan)

The particulars of the seats which have fallen vacant thereby and have not been filled up so far by bye-elections are as follows:—

(1) Laharighat (Assembly—Assam)
(2) Kerakat-*cum*-Jaunpur (Assembly—U.P.)
(3) Wardhanpet (Assembly—Hyderabad)
(4) Hanamkonda (Assembly—Hyderabad)
(5) Huzurnagar (Assembly—Hyderabad)
(6) Bhongir (Assembly—Hyderabad)
(7) Chavera (Assembly—Travancore-Cochin).

(c) The information relating to additional expenditure incurred by Government to hold these bye-elections is not readily available. It will have to be obtained from the State Governments.

"THE WEALTH OF INDIA"

516. Shri S. C. Samanta: Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) how many volumes of 'the wealth of India' (Dictionary of Economic Products and Industrial Resources of India) are proposed to be published?

(b) How many volumes have already been published; and

(c) the price of each volume and the subject matter dealt with in each volume?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) The "Wealth of India" (Dictionary of Indian Raw Materials and Industrial Products) is to be published in nine volumes, each consisting of two parts. The first part of each volume deals with 'Raw Materials' and the second with 'Industrial Products'. Like all encyclopaedia the publication is being compiled alphabetically.

(b) Two volumes, each in two parts have been published.

(c) A statement giving the required information is laid on the Table of the House. [*See* Appendix X, annexure No. 5.]

COMMONWEALTH RELATIONS OFFICE

517. Shri S. N. Das: Will the Minister of **Finance** be pleased to refer to the reply given to my Unstarred Question No. 316 on the 25th September, 1951 and state:

(a) whether since that time any of the agency functions left over with the Commonwealth Relations Office of the Government of U. K. have been transferred to the Office of the High Commissioner for India in the U. K.;

(b) if so, what are those functions; and

(c) what was the amount of contribution paid by the Government of India for the year 1951-52 for such agency functions?

The Minister of State for Finance (Shri Tyagi): (a) Yes. A few items of agency functions have completely been taken over by the office of the High Commissioner and the transfer of others is under consideration.

(b) A statement giving the information is laid on the Table of the House. [*See* Appendix X, annexure No. 6.]

(c) The amount of agency contribution paid was £ 1,02,000.

CHALUVAMBA MANSION

518. Shri Madiah Gowda: Will the Minister of **Natural Resources and Scientific Research** be pleased to state what amount is spent for maintenance and upkeep of Sri Chaluvajammanni Mansion which Government have leased out to house Indian Food Technological Research Institute?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): Approximately Rs. 12,000 per annum is spent on the maintenance and upkeep of Cheluvamba Mansion where the Central Food Technological Research Institute, Mysore, is housed.

RURAL ADULT EDUCATION

519. Shri Madiah Gowda: Will the Minister of **Education** be pleased to state what recommendations of the

International Seminar on Rural Adult Education held in Mysore have been implemented?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): A statement is attached showing the recommendations of the International Seminar on Rural Adult Education, held at Mysore, which have been implemented by some of the State Governments having Social Education Schemes. [*See* Appendix X, annexure No. 7.]

RE-EMPLOYMENT OF COMMISSIONED OFFICERS

520. **Shrimati Maydeo:** Will the Minister of **Defence** be pleased to state:

(a) whether an assurance was given to released or demobilized commissioned officers at the time of their release, that every effort would be made to find suitable employment for them;

(b) how many gazetted posts (Civilian appointments) have been filled under the Ministry of Defence since 1947 up to date; and

(c) how many of these posts have been filled by the employment of released or demobilized officers?

The Minister of Defence (Shri Gopalaswami): (a) No, Sir, but it is Government's policy to help released officers to resettle in civil life as far as possible.

(b) and (c). The information is being collected and will be laid on the Table of the House in due course.

BHOPAL STATE FORCES

521. **Pandit C. N. Malviya:** Will the Minister of **Defence** be pleased to state:

(a) the number of officers and soldiers in the Bhopal Army on 1st June 1949;

(b) whether the said Army was disbanded and if so, what was the date of its disbandment; and

(c) whether all the personnel of the Bhopal Army were absorbed in the Union Army?

The Minister of Defence (Shri Gopalaswami): (a) We have figures for January 1950. There were 13 officers and about 850 JCOs and other ranks at the time.

(b) Yes, the Bhopal State Forces were disbanded by 31st January 1951.

(c) No; only a very few were actually absorbed.

BHOPAL STATE FORCES

522. **Pandit C. N. Malviya:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the cases of some of the disbanded personnel of the Bhopal Army regarding their pensions, gratuity or relief are still pending; and

(b) If so, what the number and nature of such cases are?

The Minister of Defence (Shri Gopalaswami): (a) Yes.

(b) The total number of outstanding cases is 67, of which 40 are pension cases and 27 are gratuity claims.

PENSION APPELLATE TRIBUNALS

523. **Shri K. C. Sodhia:** Will the Minister of **Defence** be pleased to state:

(a) the number of Pension Appellate Tribunals working during 1951-52;

(b) what was the number of appeals disposed of by them during 1951-52; and

(c) how many second appeals were preferred to the Central Pensions Appellate Tribunal and how many of those were disposed of during the same period?

The Minister of Defence (Shri Gopalaswami): (a) Three (excluding the Central Appeal Tribunal) of which one was abolished in June 1951 and another in March 1952.

(b) 2,272.

(c) 271 and 243 respectively.

CHITTORGARH

524. **Shri Balwant Sinha Mehta:** Will the Minister of **Education** be pleased to state whether the condition of the Fort of Chittorgarh is dilapidated and deteriorating?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): Some of the monuments in the Fort, namely, Jaistamb, Kirtistamb and the temples which are living monuments, are in a good state of preservation. But the remaining monuments comprising palaces, tanks, houses, etc., are in a dilapidated condition. As soon as the monuments are taken over by the Government of India, steps will be taken to repair them.

IRON ORES IN MANDI

525. Shri Hem Raj: Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether any analysis of the iron ores collected in the Mandi Area of the Northern Circle has been made; and

(b) if so, what results have been obtained out of these experiments?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Yes, Sir.

(b) A statement giving the information required is laid on the Table of the House. [*See* Appendix X, annexure No. 8.]

LITERACY IN INDIA

526. Shri B. N. Kureel: Will the Minister of **Education** be pleased to state:

(a) whether any literacy census has been made in the country after partition;

(b) the percentage of literacy; and

(c) the States having the highest and lowest percentage of literacy?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Yes, literacy census was taken along with the 1951 General census.

(b) and (c). The figures are still under compilation.

ARMY OFFICERS ABOVE THE RANK OF COLONEL

527. Shri Ajit Singh: Will the Minister of **Defence** be pleased to state how many full Colonels and other officers above this rank have been dismissed on corruption charges?

The Minister of Defence (Shri Gopalaswami): Two, Sir.

EXCHANGE BANKS IN INDIA

528. Shri G. P. Sinha: Will the Minister of **Finance** be pleased to state:

(a) the total number of Exchange Banks operating in India;

(b) how many of them are exclusively financed by the Indians; and

(c) the total capital invested in them?

The Minister of Finance (Shri C. D. Deshmukh): (a) The number of Exchange Banks by which term the hon. Member presumably means banks authorised to deal in foreign exchange operating in India is thirty-seven.

(b) It is presumed the hon. Member has in mind the extent of shareholding in such banks. It is not possible to say in how many of them the share capital is held exclusively by Indians. However, the shareholding of twenty of these banks is predominantly Indian.

(c) The total paid-up share capital of predominantly Indian banks dealing in foreign exchange is Rs. 24.47 crores.

FOREIGN EXCHANGE BANKS IN INDIA

529. Shri G. P. Sinha: Will the Minister of **Finance** be pleased to state how many Indians are employed in the Foreign Exchange Banks financed by non-Indians operating in India?

The Minister of Finance (Shri C. D. Deshmukh): Government have no information.

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Dated........20.11.2014.

THE PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

HOUSE OF THE PEOPLE

Wednesday, 23rd July, 1952

The House met at a Quarter Past Eight of the Clock.

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(*See Part I*)

8-15 A.M.

COMMITTEE OF PRIVILEGES

PRESENTATION OF REPORT *re* ARREST OF SHRI DESARATHA DEB

The Minister of Home Affairs and States (Dr. Katju): I beg to present the report of the Committee of Privileges on the question of privilege involved in the arrest of Shri Desaratha Deb, M.P., which was referred to the Committee on the 16th June 1952.

PAPERS LAID ON THE TABLE

REPORT OF COMMITTEE OF PRIVILEGES *re* ARREST OF SHRI V. G. DESHPANDE

The Minister of Home Affairs and States (Dr. Katju): I beg to lay on the Table a printed copy of the Report of the Committee of Privileges including Minutes, Appendices, Evidence and Debates in the House on the question of privilege involved in the arrest of Shri Vishnu Ghanshyam Deshpande, M.P., which was referred to the Committee on the 27th May 1952. [*Placed in Library. See* No. P-23/52.]

NOTIFICATIONS IN ACCORDANCE WITH SECTION 38 OF THE CENTRAL EXCISES AND SALT ACT, 1944

The Minister of Finance (Shri C. D. Deshmukh): I beg to lay on the Table a copy of each of the following notifications in accordance with Section 38 of the Central Excises and Salt Act, 1944, namely:—

(1) Central Excises Notification No. 3, dated the 16th February, 1952.

(2) Central Excises Notification No. 4, dated the 8th March, 1952.

(3) Central Excises Notification No. 6, dated the 24th May, 1952.

(4) Central Excises Notification No. 7, dated the 17th May, 1952.

(5) Central Excises Notification No. 9, dated the 7th June, 1952.

(6) Central Excises Notification No. 10, dated the 14th June, 1952.

[*Placed in Library, See* No P-37/52.]

MESSAGE FROM THE COUNCIL OF STATES

Secretary: Sir, I have to report the following message received from the Secretary of the Council of States:—

> "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Council of States, I am directed to inform you that the Council of States, at its sitting held on the 18th July, 1952, agreed without any amendment to the following Bills which were passed by the House of the People at its sittings held on the 8th and 9th July 1952, namely:—
>
> 1. The Maintenance Orders Enforcement (Amendment) Bill, 1952.
>
> 2. The Repealing and Amending Bill, 1952."

PREVENTIVE DETENTION (SECOND AMENDMENT) BILL—*Contd.*

Mr. Speaker: The House will now proceed with the further consideration of the Preventive Detention Bill.

Along with that there are three other ....

Shri Sarangadhar Das (Dhenkanal: West Cuttack): Before you call upon the hon. the Home Minister to reply, I wish to make a submission that this Bill is of great importance and it is necessary for the opposition, for various groups and various speakers to express their views and you had in the Business Advisory Committee agreed to that. Unfortunately there are still many speakers and my pleading with the Chair yesterday had no effect.

Therefore, I request you to give us some more time, at least for this day so that there may be ample discussion. We have already signified that we cannot go into the Select Committee and this is the only opportunity to express our views fully. So, I request you to give us more time.

Mr. Speaker: Unfortunately, I do not find myself in agreement with the request made. I could go into the reasons, but perhaps it will be unpleasant to go into full details. So, I will not do that.

The time taken for the discussion of the motion has, to my mind, been sufficient and it is not necessary to take any further time, because I find that there is nothing new to be said so far as the principles or the merits are concerned. The points involved are short. I also carry a feeling that the speeches have been—some of them at least—inordinately long going into many other matters which were not absolutely irrelevant, but which were more or less repetitions. I understood the desire of the hon. Members and, therefore, I appealed yesterday to hon. Members to shorten their speeches. But I found no response to that and the speeches were equally long. Whether it was on this side or the other side, it makes no difference.

Then some further time was granted by reserving the reply of the hon. the Home Minister for today which meant there was an hour's or forty-five minutes' extension—I do not know what time the hon. Minister is going to take today over the reply. So, I do not see how it is possible reasonably to accede to this request. There should be a full debate there is no doubt. A full debate does not mean an opportunity to every Member who desires to speak and that it should be given even when all possible points and aspects have been fully discussed at length. I do not think, therefore, that I can accept this request on the grounds urged.

Shri Sarangadhar Das: Sir, I regret that we find no other alternative but to walk out in protest.

Mr. Speaker: Yes. I should be sorry if they do so, but it is a matter of their pleasure.

[*At this stage the Opposition staged a walk-out.*]

Dr. Lanka Sundaram (Visakhapatnam): In the Business Advisory Committee you were good enough to direct that there would be some sort of limitation for the total time allotted for each Bill as well as for each individual speaker on each Bill. I think in your wisdom yesterday you were good enough to ring the bell for my hon. friend Pandit Thakurdas Bhargava. A little more time given here would not be out of place.

Mr. Speaker: The hon. Member will see the difficulty. Yesterday evening the hon. Home Minister was called upon to reply and it is very clear under rule 254 "subject to the provisions of rule 253(3) the reply of the mover of the original motion shall in all cases conclude the debate."

So when he was called upon, all that remains to be done is for him to say whatever he has to say. The debate is concluded. I regret that there should be a walk-out, but I do not think I can satisfy an attitude which still wants time to talk and talk for an inordinate length. I find no new arguments coming here.

The Minister of Home Affairs and States (Dr. Katju): The debate on this Bill had led to a very large volume of oratory and eloquence and when I was trying to summarize the points made, I found that there was really a great identity in the views expressed. One hon. Member has said that the Bill was a stinking Bill from the beginning to the end. Another hon. Member gave a long history of the sufferings undergone under this Act or a similar act which had been in existence from 1941. Another hon. gentleman, a member of the Bar, made big quotations from a large number of judgments and finally this discussion was concluded by a very impassioned speech delivered by one who was two years ago sitting on this side of the House. It will be necessary for me to deal with every one of these points raised, but I should like to say at the

9 A.M.

very beginning that while I am here and we on the Treasury Benches are here to bear the brunt of the oratory of Members opposite, the Governments in the various States are there to bear the brunt of the responsibility for maintaining peace and tranquillity in the land. As I said on the previous occasion, they are unanimous that such an enactment is necessary to enable them to discharge their duty. I am very sorry that the hon. Member who put to me a question yesterday as to the numbers detained from the 1st of March up to date is not here. The suggestion that he wished to convey to the House was that the necessity had all ceased and that it was all quiet in the land. That is really not so. I have got some figures here which I shall lay before the House.

I do want all of us here and people outside to remember the exact position in which we stand today. We have heard quotations from speeches of those whom we venerate and love and speeches made in 1923 and 1924. They are entitled to all reverence, but I do not know how their minds would have worked, had they been living here today to guide us. Please remember that in these 25 years and more the country has gone through a vast revolution. It is not only that the British have gone away, but I may say the whole political and the geographical structure has changed. Indeed the map of India has changed. You have had the country divided. You have had borders where there existed no borders in the past, borders in the Punjab, borders in Rajasthan, borders in Bengal and Assam, but apart from that under one rule—namely, the rule of law, has now come vast portions of India which were called Princely States, three eighths of India in area and a little lesser in population. The States were in substance governed by the British through the Political Department and speaking with some knowledge I can assert that leaving aside some of the bigger states, the conditions there were entirely different and they have now come and joined us. The people who are there are not so very familiar with the democratic conception of life. In Saurashtra, in Rajasthan and in portions of Madhya Bharat the conditions are entirely different and we have to see that unity is preserved and that peace and tranquillity is preserved. That is the first condition.

I entirely agree and as I said it is in consonance with the whole of my past life, that appeals are made to the sovereignty of law and to the necessity of everybody having judicial trial. At the same time there is this country which after centuries of effort has come under self-rule, but in coming under that self-rule, lots of passions have been aroused, lots of opinions have come into existence; people in different parts of the country are influenced by different sets of opinions, and please remember also that in this country now are living people of all sects, faiths, creeds and religions whom our Constitution has guaranteed perfect security and liberty. Now, expression of opinion has become of very great importance. The opinions should be expressed and ought to be expressed with perfect freedom. That is a right which is guaranteed. But, at the same time, we know the influence these opinions create and what commotion can be excited by the expression of these opinions. One hon. Member speaking on this side of the House said that it was almost the practice for the people who excited commotion to remain behind and lead people onwards. That is substantially true and I suggest to you, Sir, that it is in the interests of the unity of our land, and the preservation of our land, that nothing should be done to create confusion, to create chaos, and to interfere with the preservation of tranquillity here.

Coming back to the question that was put to me yesterday, I have got the figures which I have collected by telegram. These are the figures of people detained under this Act from 1st March, 1952 up to 19th July 1952.

Assam: 9 people were detained; 3 were released out of the persons detained, in these five months

Bihar: One was detained and he is still in detention.

Bombay: 150 were detained out of whom 135 are described as *goondas*, namely ordinary people who disturb the order and are engaged in all sorts of nefarious activities, not political activities.

Madhya Pradesh: 2; still in detention.

Madras: 8 were detained, out of whom 7 have been released; two were blackmarketers among the persons detained.

Punjab: 27 were detained, out of whom 23 were blackmarketers. 8 have been released. The persons released include 6 black-marketers; 17 are still in detention.

U. P.: 5 detained; 3 released.

West Bengal: 34 were detained out of whom 27 were black-marketers and 6 were members of the RCPI.

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Hyderabad: 82 were detained; 32 were released; in addition 16 have been temporarily released up till 29th September, 1952.

In P.E.P.S.U., where hon. Members must have noticed in the papers that there is confusion going on in the countryside, 423 have been detained, and 93 have been released. The Chief Minister has assured me that all these persons detained are reported to be harbourers of dacoits. In Rajasthan, where the law and order situation has been very difficult owing to dacoits and dacoities, 38 were detained and 18 were released. In Saurashtra, 112 have been detained and 50 released. That concludes the list. In Ajmer, 4 were detained and 3 have been released. In the Part C States, Delhi is the one where some people were detained and were released afterwards. The grand total of persons detained is 531 out of whom 165 have been released.

Shri Sivamurthi Swami (Kushtagi): May I ask, Sir.........

Mr. Speaker: Order, order; let the hon. Minister proceed.

Dr. Katju: By this question, the hon. Member wanted to make out as if there was nothing happening and therefore, the Detention Act need not be passed. I said in my opening speech that we have nothing to do with the propagation of opinion, that we have nothing to do with parties as such. This Act is meant exclusively for the purpose of people who incite violence and are found to be engaging in violent activities. That is the object of the Bill before you, and I hope that, having regard to the prevailing conditions, having regard to the conditions inside the country and outside the country, the House would agree with me that there is need for a Bill like this.

I was just reading this morning in the newspapers the speeches delivered in some of the State legislatures, where Budget discussions are going on, on the Grant for the Police department. Everywhere emphasis was laid by the State Ministers on the delicacy of the situation. Even in some States where Zamindaris have been abolished, it is said that there was likelihood of agrarian trouble. All this requires that we should nip the trouble in the bud. It is no use waiting for things to ripen and then dispersing unlawful assemblies and taking coercive measures and sending to prison large numbers of people. It is a matter of some importance. We had quotations from the observations of British Judges, 100 years old and 150 years old. Many other things were said in praise of liberty and of the virtues of judicial trials. I respectfully suggest once again, even at the risk of repetition, that all these things are to be viewed in the context of the conditions prevailing in that particular country. Whenever we talk in this context of democratic countries, we have got only two countries in mind, and not a third country. We have been brought up in the traditions of the British Isles. It is really important that the British people, while they were living in England, every one of them, Conservatives, Liberals, Tories, Labour, pleaded greatly for the virtues of democratic liberties and for the necessity of judicial trials and open trials. Their opinion may have changed when they came out of England. But, the conditions prevailing there are entirely different from the conditions prevailing in India. Look at the size of the country: a small one. Look at the population: a coherent one. Look at the elements in the country. I said on one occasion that we are supposed to be consisting of many religions. We have got people of different faiths. It was said in a newspaper on one occasion that there was no security for minorities professing a particular religion. The noteworthy thing is this. In the western countries, you have got people, all of them profess one religion. They may be protestants; they may be catholics; they may be Christians of different sects; but they are all Christians. I do not think that in the western countries or in Asia you have got a single country of such enormous population, of such enormous size and enormous numbers, where you have people living together as neighbours, professing different faiths and different creeds.

Here, the necessity for caution, even in the expression of opinion, is enormous. I do not want to go into details. It is not necessary, but reference was made to an episode in Delhi. Everybody knows what happened. It is not necessary for me to divide or apportion the blame. But please remember what happened on the 26th of May. No reference was made to that by the hon. Members who spoke upon it on the other side. On the 26th of May in the morning when there was a judicial proceeding in the Law Court, there was a great hubbub, great commotion, great excitement in the Court compound. People were manhandled, those who had nothing to do with the case, visitors, litigants; caps were snatched, seized, burnt, and then, after the Judge had decided the case, and passed orders, these people went out into the streets of Delhi and there other crimes were committed. People were again manhandled. In Chandni Chowk there was a similar spectacle, and in tramcars men were pulled out, and very many were severely hurt—I believe eleven were hurt, two were very seriously injured, and one man succumbed to his injuries. Even the Chief Minister of the State was manhandled and assaulted. All that, but not a word was said about that. What led to it? It is not a question of a marriage between A and B, but there was expression of opinion, there were people exciting them, and we have got the population in Delhi, and they took to it. Now, that very evening, the District Magistrate thought that in the interests of tranquillity and peace he should restrain meetings. He stopped meetings. A meeting was held in one of the halls, I think, called the Diwan Hall. Then, loudspeakers were fixed outside and there was a big meeting. About 4,000 people were in the hall, and thousands outside the hall, and speeches were delivered.

I do not want to go into the matter, because I have received reports of those speeches, and today it so happens that I have presented to the House the report of the Committee of Privileges and I would beg hon. Members at their leisure to read passages at Pages 48 and 49, and note the type of speeches that were delivered there. It is stated here that the audience was fairly excited. It was admitted. I am referring to a statement made by our colleague, Mr. Deshpande, and he gives you a gist—not a gist, but one of the points which he emphasized in that speech. Read it, read it at your leisure —and remember the surroundings, the context, and the feelings prevailing in Delhi. In population, Delhi has grown enormously, and people have come here from outside. They have come here from West Punjab—great sufferers, great sufferers in body, in mind, and to them these people said. I suggest that the action taken sounds to us stringent. I quite recognise that it was exceptional, but it may very well be that on the 27th and on the 28th of May there might have been a conflagration in Delhi. It is an extraordinary population here. We have got about 12 lakhs of people living here. So, what is to be done? The authorities who are charged with the administration, have to shoulder the responsibility.

I am very sorry, I was really very sorry to hear something said about the District Magistrate. This officer has been here for four years, long before I came here, and the hon. Members who have been Members here in the Constituent Assembly for the last four years would realise the conditions through which Delhi had passed from 1947 or 1948 downwards. And I can say from even personal knowledge that this officer had done exceedingly well in shouldering this responsibility, in keeping the tranquillity here. I do not think a single meeting had been lathi-charged here, and yet people come here and attack some one who is unable to defend himself.

Now, look at Calcutta. I am sorry that the hon. Member who spoke last with such profound eloquence and made so many personal attacks on me is not here. But what is happening in Calcutta?

Mr. Speaker: I may inform the hon. Minister that I received a note from him. He had left last night because of the illness of his mother.

Dr. Katju: I am very sorry, Sir. But look at Calcutta. Hunger marches. Quite right. The Assembly is sitting there. This Parliament is sitting here. There are hon. Members from Bengal. There are 238 Members in the Bengal Legislature. You can agitate on every question, regarding food, but the whole point is "We must be allowed to march, and march to the Assembly buildings, and there raise, well, disorderly conditions." The Police says you must not do that. The Commissioner of Police issued the order. The order is being openly defied. Day after day it is being openly defied. What is happening? I have not got the papers here. The people assemble. The Police goes there and disperses the crowd. Brickbats are thrown. Boiling water is thrown. Crackers are thrown. Bombs are thrown. These are admitted facts.

My hon. friends said, "Go into the genesis of the matter, read into the minds of the people". But what is to be done with the minds of the people? One report that I read was that a tramcar was set on fire. It was going to be burnt. It so happened that a mobile Police squad arrived there, and it stopped the trouble. Now, those are the conditions.

And here is a city consisting of about 5 million people, excitable people, lovable people—they are there—and mostly students, young people. And people go and excite them. Now, what is the advice that the hon. Members opposite would give to us? Should this be allowed to continue and the orders withdrawn, and the Assembly should

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not be allowed to continue its deliberations with due safety? The submission that I make is that the Preventive Detention Bill is not intended—it is a great mistake to suppose that it is intended for the suppression of any political opinion. Some of the speakers yesterday said: "Oh, it is for the suppression of political parties, for the suppression of the Hindu Mahasabha or the Ganatantra Parishad of Orissa and all sorts of people". That is an absolutely baseless and groundless charge, because if there was the slightest indication of that, very likely many people who are here would not have come here at all. I do not want to cover the same ground over and over again, but the very fact of the people who are now under detention would go to show that there is no desire whatsoever to interfere with the propagation of opinion. Even on that point opinions may differ. I am very sorry, that the hon. Member from Calcutta is not here owing to some private reason. Otherwise I should have liked to read out to you some passages from the speech which he delivered on the 13th February 1951 in this House. But I do not want to take up the time of the House.........

Some Hon. Members: Please read them out. It will take only two minutes.

Dr. Katju: The first passage that I have in mind is rather remarkable. My hon. friend read yesterday a quotation from the speech of our revered leader Pandit Motilal Nehru. I think in this House excepting his children and very likely my hon. friend Mr. Purushottamdas Tandon also, I had the good fortune of knowing him most and of sitting with him at his feet for the longest time. One of the greatest things that impressed me about Pandit Motilal Nehru was his sense of realism. He was the author of that famous dictum about consistency. He was also the author of another dictum that if there is a diseased limb, amputate it. It is very unfair for us to quote sentences from our revered leader uttered 30 years ago; I do not know what they would have done in the conditions of today. But so far as the hon. Member's speech is concerned —I am referring to the hon. Member from Calcutta—he said something about the Advisory Board in regard to which Pandit Motilal Nehru had said earlier that it would not satisfy him even if there were three angels rather than three High Court judges. But this is what Dr. Mookerjee—I do not know whom he represented then—said as he then was:

> "Much as we may criticise Government, let us have the frankness to admit that the amending Bill makes very important changes—changes for the better. The Advisory Board will now be able to deal with all cases. It is not quite clear whether cases of persons who have been detained for less than three months will also be covered under this clause. The Home Minister in his reply to the debate will no doubt make this point clear. In fact it will be desirable from every point of view . ."

The then Home Minister then said: 'Every case of detention will go before the Board.' Then Dr. Mookerjee continued:

> "I am glad that all cases including the cases of persons who may be detained for a period of less than three months will also come under the purview of the Advisory Board. Let us not ignore the importance of this provision, because under the Constitution itself it is not essential for Government to place cases of persons who are detained for a period of less than three months before the Advisory Board at all and if the Home Minister proposes to include their cases also, it is no doubt a change for the better."

But now the Advisory Board is a thing not worth looking at, and it is so much of rubbish.

Then Dr. Mookerjee added:

> "We also note with pleasure the provision for release on parole, because we know that there have been a large number of cases where such persons have suffered, since there was no such provision in the past. I congratulate Government on the changes they have made."

Of course, it was the good luck of Shri Rajaji, whom my hon. friend called a great democrat, and it is now my misfortune—when Rajaji is not here, and I am occupying his place, and I do not know whether I am a democrat or a reactionary or a progressive—that I get all the abuses, while Rajaji got all those flowers, bouquets and garlands.

As I said it will take a long time to read out the other passages, and it is no good repeating it in his absence. We are sorry that he is not here today in the House.

With regard to the speech of Mr. Frank Anthony who preceded him then—who condemned the Bill root and branch, this is what Dr. Mookerjee has said:

> "I would like to approach the problem from the point of view of one who was a member of the Government when the original Bill was passed into law about a year ago, conversant as I then was with all the circumstances which led the Government to bring forward such a drastic measure before the House, and also as one who during the last ten months have had ample opportunity of coming into contact with various points of view, not only in my own province, but in the whole country, especially with regard to the working of this Act."

What these last ten months were can be easily known—he resigned in April 1950, and this speech was delivered in February 1951.

The only new condition that has come into existence in his association on those benches with lots of other parties. Then continuing, Dr. Mookerjee has said:

> "There might have been reasons for Mr. Anthony for speaking in the strain that he did. In fact, while listening to him at certain moments I was reminded of Mark Anthony addressing an assembly. In any case, this is not a matter which we can take in a light-hearted manner. Indeed the Hon. the Home Minister himself started his speech by saying that he moved his motion with a very heavy heart. None likes any provision for the detention of citizens without trial, and especially the hon. Members of this House, many of whom were subjected during their active political career to detention without trial, and I know of many outside also who suffered during the old regime in this fashion."

This speaker of February 1951 while congratulating the Government on the improvements in the Bill gave them another advice also. He said that the Bill was soft towards the Communists, who had not abjured their policy of violence, and therefore it was no use dealing with individuals under the Preventive Detention Act. He said 'Damn the whole party under the Criminal Law (Amendment) Act. Which is the political party today which in the opinion of Government follows that line of action. If the Communists, not as individuals, but as a party are wedded to this line of action, then why not ban the Communist party of India.' He said then that there is no harm in banning the whole communist party. He also said "The moment the party is banned, you seize its funds, dissolve the party compulsorily." If I remember aright, if that is done, every member of that party becomes liable for imprisonment for a period of three years, and every office-bearer for the same period or for a longer period.

There is no harm in that! There is harm in this Bill which still tries to make further improvements on the improvements urged by Dr. Mukerjee and co. last year. So far as the hearing before the Advisory Board is concerned, there is a right of representation, not only in writing but verbally. There is a specific limitation put on the period of detention—cannot exceed twelve months from the date of the order confirming the detention. And most of all, there is the specific provision that within 15 days an order passed by any officer must come up to the Government itself for its approval. Some hon. Members said that the Ministers must apply their mind to each individual case. I entirely agree. That is what they do. That is what they are called upon to do. Please remember here that the officers who are entitled to pass these orders in times of emergency are not 'half-penny-twopenny' officers. They are not Inspectors of Police or Deputy Superintendents of Police. They are District Magistrates, District Magistrates wielding large powers over, sometimes, millions. In the U.P. there are districts with a population of 3 millions. I believe everywhere in Bengal it is so. The District of Midnapur probably has got a very large population. It is only that officer who can take action. And I really could not follow much of the speeches delivered because it has become customary, in season and out of season, to say everything harsh against the police, to say everything harsh against our own officers. I could understand this mentality when there was a conflict of loyalty, when aliens were the masters and we were all sufferers and we were agitating for our freedom. But there is no conflict of loyalty now. These very officers, these policemen, they may be your relations, my relations, nephews, flowers of our own Universities and to say that everyone of them is corrupt and, apart from corruption, is prepared to lock everybody up is, I submit, to put the case too high. I do not like this mentality.

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Then you come to another aspect of the case—quotations from Judges. Now I speak here with some confidence and also with some responsibility. Judges are the guardians of our liberties, interpreters of our Constitution and our laws and the courts are really our bulwarks. But at the same time it has been said repeatedly that Judges may be trusted as the interpreters of the law, but their advice on high questions of policy is not equally valuable. As expounders of policy, they are not really very useful. The Judges lead—ought to lead—a sort of a very detached life. They ought to live in a detached atmosphere, above all parties, because they may be called upon any day—they are called upon everyday—to mete out justice between man and man, between citizen and citizen and between citizen and the State. So they have nothing to do with matters of policy. They have everything to do with the interpretation of the law.

Now, the passages which were quoted were denunciations. In the law courts my friends who are lawyers here know it very well there is a phrase called *obiter dictum* which means 'irrelevant observation'. I do not know the literal meaning of this latin phrase, but the meaning is 'irrelevant observation'.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): 'Words said'.

Dr. Katju: The result is that every Judge of eminence condemns on the part of his brother judges indulging in *obiter dicta*. They are sometimes like chickens coming home to roost. In Calcutta I was told by one learned Judge they sometimes found themselves in great difficulties. Superior Courts, Superior Judges, each delivering his own judgment, each indulging in an *obiter dictum* of his own and it is cited by counsel. What is to be done? Therefore, the admonition has been for the last 300 years on the part of most eminent Judges: Confine yourself to the facts of the case, confine yourself to the point in issue and give your judgment on that point at issue. But here under your watchful care, Sir, Members indulge in irrelevant observations and speeches. As for learned Judges there is no Speaker there and there is the judgment. You are your own master, you write it out and there it is. I have no doubt the sentences are there. If I had sufficient time, sufficient energy and sufficient capacity, I could gather together lots of other observations to the contrary. Therefore he has this general assertion —detention without trial is a damnable thing. I agree—in ordinary circumstances it should never be attempted.

Then you come to the history of many cases. Now I should like to make one point. My hon. friend, Mr. Gopalan, a man who has suffered much —all of us have suffered a great deal— he gave you a long history of the grounds of detention. Now I really do not know what were these Acts because the first Act which was enunciated here was in 1950. Then they were the provincial lists. It may be that the District Magistrates or the officers there may have made mistakes. It may be that they thought it was absolutely essential for the information of the Advisory Board to give a sort of life history of the detenu, something like what you find in "Who's Who" and might set it out, how he began his life etc. Unnecessary, but there it is. But that was all done. Now we have our sympathy. If I may indulge in a little biographical note, when I was taken to trial in 1940 in the individual civil disobedience movement, the charge against me was that I had given a notice that I intended to speak ten days later at a particular meeting. I might never have gone there, I might have changed my mind. So the District Magistrate came along to try. I said, "I do not propose to take part in the proceedings". But the lawyer's instinct was straining and I actually said to him, "You will please observe for yourself whether there has been any offence committed at all". He did not listen. He said, "Offence proved". Giving of a notice is sufficient; and he convicted me. After 11 months, another person took up the point in the Allahabad High Court and previously in the Lahore High Court and they said, giving of a notice that you might make a speech ten days later is neither preparation nor an attempt—nothing. You might not go.

Pandit A. R. Shastri (Azamgarh Distt.—East *cum* Ballia Distt.—West): Was that proper for him?

Dr. Katju: The point that I am raising is this. Mistakes are committed. You cannot condemn an Act or the principles underlying an Act or the policy underlying an Act by referring to miscarriages of justice. If miscarriages of justice were not in existence, you need not have a High Court at all. You need not have a Supreme Court at all. I was there for many years. I am sorry one of the leaders of the bar is not present. Probably in every appeal that he opens before the Bench of the Supreme Court he begins by saying, "My Lords, there has been a great miscarriage of justice in this case." Open trial, two learned Judges—and he sometimes wins, sometimes loses. I am not condemning open trials—I want open trials—but open trials mean the Sessions Judge acquits the man in a case where he is charged with murder, on appeal the High Court says; "No good. The Sessions Judge was all wrong. We convict and we sentence the accused to death" or *vice versa*. Therefore, you do not condemn the Criminal Procedure Code, you do not condemn the Penal Code by giving a long list of miscarriages, nor do you condemn even the poor Sub-Judge or the Sessions Judge by saying that so many appeals have been allowed against him. Those things are to be considered on a separate footing. I am mentioning this fact because in most of the speeches it was all a series of, "this thing was done, that thing was done". It left me absolutely cold because so far as I am concerned, as I have said, for 40 years I have been doing nothing but crying against miscarriages of justice in courts of law.

Then comes from Mr. Chatterjee: "Home Minister should do it". This sanctity, this devotion, particular affection for the Home Minister I really cannot understand. In a Government somebody is in charge of the particular Department—call him a Home Minister, call him a Police Minister, call him the Chief Minister, whatever it is—and the plea is that the man who is dealing with that portfolio will have to deal with the order. That comes really of our attachment to the English traditions because my learned friend read the Preventive Detention Act in England wherein it is the Secretary of State for Home Affairs, called the Home Secretary, who deals with it, and he said, "Therefore you get the Home Secretary repeated here."

This is the whole situation. I have endeavoured to deal with many points. I have taken, I am afraid, a lot of time but the Bill is sound in principle, it is well tried out. Circumstances have not changed though emphasis may have shifted. As I said, I do not want to go into great detail but all of us here read the newspapers and we know what is happening on our borders—in Assam, Nepal, Tibet, Pakistan. Then you have got Korea, and the fear which the Prime Minister has emphasised over and over again, which grips the world. We have to guard against that. Secondly, we have to guard against commotion inside and that commotion, I suggest to you respectfully, may arise due to many circumstances. Objection was taken to my phrase—I thought it was a pleasant phrase and a very harmless phrase—union of hearts between different groups. Is that union of hearts of the different parties who have now walked out indicative of denunciation of a particular obnoxious feature of this Bill or of the great love and affection for the principle of liberty, or is that union of hearts induced by one single circumstance and no other, that is a bitter dislike for this Government, a bitter dislike for the Congress Party? This is a make-shift—it is not a question of any deep abiding love. What has the Communist Party here or anywhere to do with the democratic conceptions of liberty as we understand it? What have other friends got to do with decontrol? As I said, our Constitution provides for a careful watch over the question of essential supplies. That has got to be watched. Therefore you have this thing: Preservation of peace and prevention of commotion. There are many disturbing features. We had a discussion here some time back for many days over the linguistic provinces. What disturbed me sometimes was the disregard of the essential necessity for preservation of unity over our own considerations. You may propagate your opinions, but then there must be no suggestion of incitement to violence about it. All these things are still there. If there has been a reduction in numbers, I respectfully suggest to you over again that that is indicative of the most careful use of the provisions. It is no good saying, "The Bill is on the statute-book and therefore we do not know what may happen or what may not." The Opposition ought to show that it is such a Bill that it is bound to be misused when it is placed on the statute-book. Nothing of the kind. The necessity exists and therefore I respectfully suggest that it should be taken into consideration.

I do not know what the procedure would be about the Select Committee. I was under the impression that when a Bill goes to a Select Committee it goes on the clear understanding that the principle in general is accepted and in the Committee we set out to thrash out the minor differences. When we were drafting this Bill—I would like to take the House into confidence —it was not as if we picked out four sections for amendment. We carefully examined the whole Act from beginning to end and we picked out the most important points where there was necessity for improvement and that improvement we have already effected. The rest of the sections as I see them

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are all of minor importance, are procedural. If any hon. Member were to tell me, even though he may not be a Member of the Select Committee, that he should have this point considered, I should be most happy to do so. In such procedural matters whether you give that direction to the Committee or not it can always be done. But the basic condition is that we do not want the Select Committee to be made the arena for a bitter struggle as to the principle of the Bill. That is the vital point. I have no objection to the Select Committee considering this, that or the other point. As I said, I am prepared to treat the whole House as a Select Committee so far as sending of suggestions is concerned and you may take it from me that I shall be most happy to improve the Bill in every way but the other sections do not really need further consideration. If you think they do, if you think that they are matters of importance, I should like to make it clear. In the Act as it stands, the Act which was piloted by my revered leader, Rajaji, whom Dr. Mookerjee addressed as a great democrat, the right of written representation alone has been given to the detenu. There is no right of personal representation. In this Bill, we have given the right of personal representation. But I am not prepared to go to the length of giving a right of personal representation coupled with lawyers. I am a member of the lawyer fraternity myself. Every State Government is opposed to it, and I am myself opposed to it. There are many matters which require very close consideration and they are matters of urgency and secrecy. The Advisory Board is composed of people of understanding. Let the detenu go before them. Let him make representations. Let him ask the members of the Advisory Board to look further into the matter. The Advisory Board can send for any information and it will have that information. But converting the Advisory Board into a judicial body as some of the amendments suggest, with lawyers, examination, cross-examination, appearance of witnesses and so on, would completely change the Bill. That was not allowed in the English Act. Apart from this, you may suggest what you like, but this is the vital thing.

Before I sit down, there is one thing of a personal nature which I should like to refer to. Here again, I am sorry that Dr. Mookerjee is not here. He repeatedly said that I had given some sort of undertaking in February that the whole Bill would be before the House. He read out one or two sentences. When you make a desultory speech running into many minutes, there may be a sentence or two here and there which may not be clear, but this is what I said:

> "Within two or three months the new Parliament will be meeting and Government, after taking into consideration the existing position, and if they think fit, may ask the new Parliament to extend the life of the Act for a further period or to modify it."

That was the undertaking given and I suggest that I have carried it out to the very letter. I repeated over and over again that it would be open to Parliament to discuss the question fully. Of course, you may say that you do not want to extend this Act at all and if you have sufficient strength the Act will fall, but I myself said that we shall take this into consideration and shall ask the Parliament to extend the life of this Act for a further period or to modify it. We have tried to modify it for the purpose of bringing about various improvements and to charge me with failure to fulfil, or with going back upon, my undertakings is really not fair to me.

Lastly, my learned friend did the honour of quoting me. I do not know wherefrom he did. It was a beautiful sentence when he read it out and I felt rather proud of myself. But I have completely forgotten it. It may have been quoted from somewhere, or it may have been my own language.

An Hon. Member: It may be from a preface to a book.

Dr. Katju: But I am not ashamed of it. I do not know under what circumstances I said it, but today in 1952 we in this India with 36 crores of people are living our own life, and are managing our own affairs, and this huge India has come, I believe for the first time in the history of this great country, under the peoples' own rule. We are composed of people with different ways of life and different outlooks. There are people in Rajasthan who have been living under feudal conditions for seven hundred years. I am not referring to the Rajah there. It is their whole outlook on life, which has now changed. Then you have the people in the tribal areas, the Assam people, the Orissa people and so on, each one living under different conditions. I do not blame the rulers. I

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wish God would grant that they may become genuine democrats. Therefore, I say that merely for the sake of platitudes and slogans we should not jeopardise the very existence and unity of the country. We must see to it that the plant of freedom which is so young grows into a mighty tree without any difficulty. Finally, let us not lose the sense of proportion. Let us not lose the sense of numbers. That is all that I have to say and I move that the Bill be taken into consideration.

So far as the motion for Select Committee is concerned. of course it will be accepted.

श्री शिवमूर्ति स्वामी : हैदराबाद के लिये आपने जो नम्बर बताया है उस में ब्लैक मार्केटर्स कितने हैं और दूसरे लोग कितने हैं, खास कर तैलैंगाना का नम्बर क्या आप को मालूम है ?

डा० काटजू : जब मैंने अपनी पहली तकरीर की थी उस वक्त ब्लैक मार्केटर्स का टोटल ९३ था। मुझे बड़ा ताज्जुब हुआ जब अखबारों में कुल नम्बर ९३१ निकला। मुझे मालूम नहीं किसने उस में १ और बढ़ा दिया। यह नम्बर ९३ था। अब पहली मार्च से ले कर आज तक जो लोग पकड़े गये हैं वह इन ९३ में शामिल नहीं हैं। जो इतला मेरे पास आई है उस के मुताबिक २७ तो बंगाल में हैं, २ महाशय हैं मद्रास में जहां अब डिकंट्रोल हो गया है। २३ आदमी पंजाब में हैं, इनके अलावा १०, ५ इधर उधर हों तो मैं कह नहीं सकता। हैदराबाद की तफसील नहीं दी हुई है।

श्री शिवमूर्ति स्वामी : अगर तैलैंगाना और दूसरे जिलों के बारे में मालूम हो तो बतला दीजिये।

डा० काटजू : हैदराबाद की तफसील नहीं है, यह जरूर आया है कि ८२ डेटेन्यू हैं जिन में से ३१ छूट गये और १६ को पैरोल पर छोड़ा गया है।

Shri Pocker Saheb (Malappuram): Section 7(2) of the parent Act provides that nothing in sub-section (1) of that section shall require the authorities to disclose facts which they consider to be against the public interest to disclose. An objection was raised to that and I want to know what the Home Minister has got to say about it. It is a matter of great importance, namely, that the detenu is not to be furnished with certain facts relating to the grounds of detention when the Government feels that it is against the public interest to disclose those facts. This is tantamount to saying that a man may be detained but he will not be provided with the grounds of detention. What have the Government got to say in regard to this point?

Dr. Katju: Under the Act, the grounds of detention have to be shown.

Mr. Speaker: The point is that there is a provision which says that, in case the Government feel that the information cannot be disclosed in the public interest, Government will not be bound to give that information. What has the Home Minister got to say about that point?

Dr. Katju: I imagine, that such cases must be very rare and probably it refers to one single item from out of a large charge sheet. This is a matter which we can go into in the Select Committee.

Shri Jawaharlal Nehru: I am not going to address the House for any length of time. I shall speak for just a minute or two and that too because some reference was made to me by the hon. Member who spoke last yesterday. Something in the nature of an appeal was made to me and I think that I should say a few words to clear up the position of the Government. In fact, my hon. colleague, the Minister for Home Affairs has already stated the position quite clearly. The suggestion, or the appeal, made by the hon. Member opposite last evening was in relation to the work of the Select Committee and what the Select Committee may or may not do. So far as my colleague the Home Minister and I are concerned, we want the Select Committee to go thoroughly into this Bill and to consider every section or any section in the Bill. We do not want to put any limit to their consideration and we shall gladly consider every possible suggestion made in the Select Committee.

Shri V. G. Deshpande (Guna): Our voting will be influenced by the fact whether the hon. the Home Minister

[Shri V. G. Deshpande]

accepts the amendment of Sardar Hukam Singh or not. We would, therefore, like to know whether he accepts it.

Mr. Speaker: The point is this. Sardar Hukam Singh's amendment says: "with instructions to report...... after considering all amendments even to those sections of the Act of 1950 which are not sought to be amended by the present Bill." Is that agreeable to Government or not, that is the question.

Shri Jawaharlal Nehru: As far as the wording of Sardar Hukam Singh's amendment is concerned—I speak from memory—I do not think it is acceptable. But we are prepared to allow the Select Committee to consider any section of this Bill with a view to amending it.

Mr. Speaker: What the hon. the Prime Minister means is any section of the present Bill which is going to be referred to the Select Committee and not any section of the parent Act?

Shri Jawaharlal Nehru: If any section of the parent Act in that connection comes up, it will be considered —certainly.

Mr. Speaker: So, I assume that this is not going to be incorporated in the motion for the Joint Select Committee.

The position is, therefore, clear that Government are not prepared to incorporate in the instructions to the Select Committee, the question of amending any section of the Act, but they are prepared to consider amendments which are relevant and do affect the present Bill. Only to that extent......

Shri S. S. More (Sholapur): Is it any concession, Sir?

Mr. Speaker: I have already given my ruling; and whatever might be the position of Government my ruling stands.

Shri R. K. Chaudhury (Gauhati): If the motion of my hon. friend Sardar Hukam Singh is negatived, then the intention of the hon. the Leader of the House will not be carried out.

Mr Speaker: That is a matter for argument which I am not going into at this stage. I believe I have made it clear in my ruling, that the scope of the amendments will have to be considered with reference to the nature of this Bill. I have said that and it depends upon the nature of the amendments that come in.........

Shri S. S. More: Does the statement of the Prime Minister mean that?

Mr. Speaker: I cannot interpret that; that is a matter of his intention.

Shri A. K. Gopalan (Cannanore): Sir, our difficulty is this. Yesterday, Dr S. P. Mookerjee, speaking on our behalf said that in order to enable us to serve on the Select Committee we would like to know whether Government accepts the position that we could go into the original Act, discuss it and propose amendments to its provisions, if necessary. So, before agreeing to serve on the Select Committee, we would naturally like to know whether Government accept the principle of our going into the original Act and suggesting amendments.

You have already given your ruling. But our difficulty is that Government have not accepted that; nor have they clearly said that they will allow amendments to the original Act. There is difference between saying any amendment that comes we will discuss and saying that you have got the right to discuss the provisions of the original Act. We want a clear assurance about it before we consent to be on the Select Committee.

Sardar Hukam Singh (Kapurthala-Bhatinda): Sir, your ruling is very clear and we submit to it. But you have not ruled out the possibility of the competence of the House to give such and such instructions and if Government's attitude is that they are prepared to consider all amendments to other sections as well, there should be no difficulty in accepting my amendment.

Pandit Jawaharlal Nehru: I made myself, I hope, quite clear. Government's attitude is that accepting the principle of the Bill, the whole Bill can be looked into, if necessary.

Shri S. S. More: The Act, not the Bill.

Shri Jawaharlal Nehru: Any section of the parent Act can be looked into. But, of course, there is no point in looking into the parent Act for saying we want neither. In that case there is no point in going to the Select Committee. Otherwise, every section of the parent Act also can be looked into, varied or changed.

Shri N. C. Chatterjee (Hooghly): May I point out one thing? Sardar Hukam Singh's amendment is nothing beyond that. The Select Committee will be authorised to consider all amendments, even to those sections of the Act which were not sought to be amended by the present Bill. All that we want to know is: will the Prime Minister make the position clear that it will be competent for the Select Committee to look into other sections which have not been dealt with in this Bill.

Shri R. K. Chaudhury: The position of Government is quite clear. In these circumstances, I would appeal to my hon. friend Sardar Hukam Singh to withdraw his amendment. In that case he will be quite free to discuss the whole thing.

Shri A. K. Gopalan: If our agreeing to the Select Committee motion means that we accept the principle of the Bill, that is preventive detention without trial, as far as my group is concerned, I want to make it perfectly clear that we do not accept it. The very introduction of this Bill was opposed by us, which means that we do not accept the principle of detention without trial. Whether the amendment is passed or not, is another question. But if our agreeing to serve on the Select Committee would be taken to imply that we are agreeable to the principle of preventive detention and that we want only some amendments to be made, it must be made clear that we cannot be there in the Select Committee.

Several Hon. Members *rose*—

Mr. Speaker: Let us not have arguments now.

Pandit A. R. Shastri *rose*—

Mr. Speaker: Hon. Members will leave something to the Chair. It is no use getting up and advancing arguments over the same question again and again.

Now the position is, so far as my knowledge of parliamentary practice and legislative business goes, once the House—I am not speaking of individual Members—accepts motion for reference of a Bill to Select Committee, it accepts the principle on which the Bill is framed. There is no question of any mental reservations about it. Individual Members may have their reservations. That disposes of the first point. I need not go into details. Members may act with mental reservations in regard to its acceptance or otherwise. I am speaking with reference to the decision of the House, whatever may be the interpretation people may put on it. As regards the other point, I do not know whether I understand the hon. Prime Minister correctly. If he is prepared to consider amendments to all sections in the Select Committee—other sections of the parent Act also which are not touched by this Bill, then I think, the giving of an instruction of that type by the House will be necessary, so that no question of any complication may arise at a later stage of the consideration of the Bill and a point of order may not be raised that the Select Committee has done something beyond the original scope of the Bill.

Dr. P. S. Deshmukh (Amravati East): Since essentially it is my motion, I am prepared to accept the suggestion made by the hon. Prime Minister, which will amount to 'instructions' not in precise words which have been submitted by Sardar Hukam Singh but in the words which the Prime Minister has uttered here. If my motion is amended in the way suggested, I think it will amount to instructions to the extent to which the hon. Prime Minister has agreed.

Mr. Speaker: What I would like to do is to have the position made clear. I do not want to leave it to any statements expressed in the House. After all, if questions are raised, I do not think I should know what has been said informally or formally in this House. I shall have to go by the wording of the motion which this House has adopted. That is why it is important......

Dr. P. S. Deshmukh: You may accept the suggestions made by me about the amendment to my motion.

Mr. Speaker: Let us have the position clear.

Shri Jawaharlal Nehru: I have made myself perfectly clear. I have nothing to add. I do not think that any amendment to Dr. Deshmukh's motion is necessary but you, Sir, suggested taking the sense of the House about this matter whether they can go into any sections of the parent Act not covered by the present Bill. The Government is perfectly satisfied that they can go. You can take the sense of the House in regard to this matter and the sense of the House may be reported.

Mr. Speaker: Is the House perfectly agreeable to this?

Shri Gadgil (Poona Central): If the Select Committee is to go not only into the principles underlying this particular Bill but the principles underlying the original act, then we will be going beyond the scope and if any amendment is passed, there will be the necessity of republishing and going over the thing absolutely again and again.

Mr. Speaker: The principles are not at all objected to. What is desired is that sections which are not touched by this Bill may also be amended, and not that the principle of the Bill should be reconsidered. That is not the point. If the House is clear on that point, then I think I should err on the safe side in incorporating this particular instruction in the Joint Select Committee motion of Dr. P. S. Deshmukh. The wording may be settled: "With instructions to report after considering all amendments even to those sections of the Act of 1950 which are not sought to be amended by the Bill of 1952." I am incorporating these words in the amendment of the Joint Select Committee. I take it that with the incorporation of these words, perhaps some further consultations might be necessary about the personnel of the Select Committee.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha). Yes, Sir.

Mr. Speaker: The better course will be just to pass it over for half an hour or an hour and take some other work.

Shri Satya Narayan Sinha: That would be all right.

Mr. Speaker: In the meanwhile, I shall dispose of one of the amendments, namely, the amendment for circulation and I believe that with this adoption Sardar Hukam Singh does not press his amendment.

Sardar Hukam Singh: I need not object. If Government is particular that its own Members' amendment should be passed, I am not particular in having mine.

Mr. Speaker: The difference is that his motion is for a Joint Select Committee. Then I take it that he wishes to withdraw his amendment.

Sardar Hukam Singh: Yes, Sir.

Mr. Speaker: I will put first the amendment for circulation. Then Sardar Hukam Singh will withdraw his amendment and then we shall keep this subject for deliberation as to the settlement of the personnel and then we will put it to vote taking into consideration the personnel that is fixed up.

Dr. Lanka Sundaram: Mr. Speaker, the mover is apparently not willing to press the motion.

Shri M. S. Gurupadaswamy (Mysore): I am, Sir. I press it.

Mr. Speaker: It seems there is a difference in understanding.

The question is:

> "That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th October, 1952."

The House divided

Ayes, 68; *Noes*, 312

Division No. 11]

AYES

[10.25 A.M.

Achalu, Shri
Amjad Ali, Jonab
Anandchand, Shri
Anthony, Shri Frank
Barrow, Shri
Basu, Shri K. K.
Bhavani Singh, Shri
Biren Dutt, Shri
Buchhikotaiah, Shri
Chatterjea, Shri Tushar
Chattopadhyaya, Shri
Chaudhuri Shri T. K.
Chowdary, Shri C. R.
Chowdhury, Shri N. B.
Damodaran, Shri N. P.
Das, Shri B. C.
Das, Shri Sarangadhar
Dasaratha Deb, Shri
Deogam, Shri
Gam Malludora, Shri
Girdhari Bhoi, Shri
Gopalan, Shri A. K.
Gurupadaswamy, Shri
Jaisoorya, Dr.
Kamal Singh, Shri
Kelappan, Shri
Khare, Dr. N. B.
Krishna, Shri M. R.
Majhi, Shri Chaitan
Mangalagiri, Shri
Menon, Shri Damodara
Mishra, Pandit S. C.
Missir, Shri V.
Mukerjee, Shri H. N.
More, Shri S. S.
Mushar, Shri
Naidu, Shri N. R.
Nayar, Shri V. P.
Pandey, Dr. Natabar
Punnoose, Shri
Raghabachari, Shri
Raghavaiah, Shri
Rajabhoj, Shri
Ramnarayan Singh, Babu
Randaman Singh, Shri
Ranjit Singh, Shri
Rao, Dr. Rama
Rao, Shri Gopala
Rao, Shri K. S.
Rao, Shri P. R.
Rao, Shri Mohana
Rao, Shri Seshagiri
Rao, Shri Vittal
Reddi, Shri B. Y.
Reddi, Shri Madhao
Reddi, Shri Eswara
Reddy, Shri R. N.
Rishang Keishing, Shri
Shastri, Shri Bhagwan Dutt
Singh, Shri C. Sharan
Singh, Shri G. S.
Singh, Shri R. N.
Subrahmanyan, Shri K.
Sundaram, Dr. Lanka.
Vallatharas, Shri
Velayudhan, Shri
Verma, Shri Ramji
Waghmare, Shri

NOES

Abdullabhai, Mulla
Abdus Sattar, Shri
Achal Singh, Seth
Achint Ram, Lala
Achuthan, Shri
Agarwal, Prof.
Agarwal, Shri H. L.
Agarwal, Shri M. L.
Alagesan, Shri
Altekar, Shri
Amin, Dr.
Amrit Kaur, Rajkumari
Ausari, Dr.
Asthana, Shri
Ayyangar, Shri M. A.
Azad, Maulana
Badan Singh, Ch.
Balasubramaniam, Shri
Balkrishnan, Shri
Balmiki, Shri
Bansal, Shri
Barman, Shri
Barupal, Shri
Basappa, Shri
Basu, Shri A. K.
Bhagat, Shri B. R.
Bhakta Darshan, Shri
Bharati, Shri G. S.
Bhartiya, Shri S. R.
Bhargava, Pandit M. B.
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhatt, Shri C. S.
Bheekha Bhai, Shri
Bhonsle, Major-General
Birbal Singh, Shri
Bogawat, Shri
Borooah, Shri
Bose, Shri P. C.
Brajeshwar Prasad, Shri
Brohmo-Choudhry, Shri
Buragohain, Shri
Chacko, Shri P. T.
Chandak, Shri Anil K.
Chandak, Shri
Chandrasekhar, Shrimati
Charak, Shri
Chatterjee, Dr. Sushilranjan
Chaturvedi, Shri
Chaudhury, Shri G. L.
Chaudhury, Shri R. K.
Chavda, Shri
Chettiar, Shri T. S. A.
Chinaria, Shri
Chaudhri, Shri M. Shaffee
Dabhi, Shri
Damar, Shri
Damodaran, Shri G. R.
Das, Dr. M. M.
Das, Shri B.
Das, Shri B. K.
Das, Shri Beli Ram
Das, Shri K. K.
Das, Shri Ram Dhani
Das, Shri Ramananda
Das, Shri S. N.
Das, Shri N. T.
Datar, Shri
Deb, Shri S. C.
Desai, Shri K. N.
Deshmukh, Shri C. D.
Deshmukh, Shri K. G.
Deshmukh, Dr. P. S.
Deshpande, Shri G. H.
Dhulekar, Shri
Dhusiya, Shri
Digambar Singh, Shri
Doraswamy, Shri
Dube, Shri Mulchand
Dube, Shri U. S.
Dubey, Shri R. G.
Dutt, Shri A. K.
Dutta, Shri S. K.
Dwivedi, Shri D. P.
Dwivedi, Shri M. L.
Elayaperumal, Shri
Fotedar, Pandit
Gadgil, Shri
Gandhi, Shri Feroze
Gandhi, Shri M. M.
Gandhi, Shri V. B.
Ganpati Ram, Shri
Garg, Shri R. P.
Gautam, Shri C. D.
Ghose, Shri S. M.
Ghulam Qader, Shri
Giri, Shri V. V.
Gopi Ram, Shri
Gounder, Shri K. P.
Gounder, Shri K. S.
Guha, Shri A. C.
Gupta, Shri Badshah
Hari Mohan, Dr.
Hazarika, Shri J. N.
Hem Raj, Shri
Hembrom, Shri
Ibrahim, Shri
Islamuddin, Shri M.
Iyyani, Shri E.
Iyyuni, Shri C. R.
Jagjivan Ram, Shri
Jain, Shri A. P.
Jain, Shri N. S.
Jajware, Shri
Jangde, Shri
Jasani, Shri
Jayashri, Shrimati
Jena, Shri K. C.
Jena, Shri Niranjan
Jethan, Shri
Jha, Shri Bhagwat
Jhunjhunwala, Shri
Joshi, Shri Jethalal
Joshi, Shri Liladhar
Joshi, Shri M. D.
Joshi, Shri N. L.
Joshi, Shrimati Subhadra
Jwala Prashad, Shri
Kajrolkar Shri
Kakkan, Shri
Kanungo, Shri
Karmarkar, Shri
Kashliwali, Shri
Katham, Shri
Katju, Dr.
Kaushik, Shri
Keshavaiengar, Shri
Keskar, Dr.
Khan, Shri S. A.
Khedkar, Shri G. B.
Khongmen, Shrimati
Khuda Baksh, Shri M.
Kolay, Shri
Krishna Chandra, Shri
Krishnamachari, Shri T. T.
Kureel, Shri B. N
Kureel, Shri P. L.
Lal, Shri R. S.
Lallanji, Shri
Laskar, Prof.
Lingam, Shri N. M.
Lotan Ram, Shri
Madiah Gowda, Shri
Mahapatra, Shri
Mahtab, Shri
Maitra, Pandit L. K.
Majhi, Shri R. C.
Majithia, Sardar
Malaviya, Shri K. D.
Malliah, Shri. U. S.
Malviya, Shri B. N.
Malviya, Pandit C. N.
Malviya, Shri Motilal
Masuodi, Maulana
Masuriya Din, Shri
Mathew, Prof.
Mathuram, Dr.
Matthen, Shri
Maydeo, Shrimati
Mehta, Shri Balwant Sinha
Mishra, Shri Bibhuti
Mishra, Shri L. N.
Misra, Shri Lokenath
Mishra, Shri M. P.
Mishra, Shri S. N.
Misra, Pandit Lingaraj
Misra, Shri R. D.
Misra, Shri S. P.
Mohd. Akbar, Sofi
Mohiuddin Jethan Shri
Morarka, Shri
More, Shri K. L.

Mudaliar, Shri C. R.
Muthukrishnan, Shri
Nair, Shri C. K.
Narasimhan, Shri C. R.
Naskar, Shri P. S.
Natwadkar, Shri
Nathwani, Shri N. P.
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Nesamony, Shri
Neswi, Shri
Nevatia, Shri
Pande, Shri C. D.
Pannalal, Shri
Pant, Shri D. D.
Paragi Lal, Ch.
Parikh, Shri S. G
Parmar, Shri R. B.
Pataskar, Shri
Patel, Shri B. K.
Patel, Shri Rajeshwar
Patel, Shrimati Maniben
Pateria, Shri
Patil, Bhau Saheb
Patil, Shri S. K.
Patil,, Shri Shankargauda
Pawar, Shri V. P.
Pillai, Shri Thanu
Pocker Saheb, Shri
Prabhakar, Shri N.
Prasad, Shri H. S.
Radha Raman, Shri
Raghubir, Sahai, Shri
Raghunath Singh, Shri
Raghuramaiah Shri,
Rahman, Shri M. H.
Raj Bahadur Shri
Raja bhoj, Shri
Ram Das, Shri
Ram Saran, Prof.
Ram Subhag Singh, Dr.
Ramaswamy, Shri P.
Ramaswamy, Shri S. V.
Rane, Shri
Rao, Diwan Raghavendra
Rao, Shri B. Shiva
Raut, Shri Bhola.
Razmi, Shri S. K.
Reddy, Shri H. S.
Rao, Shri B. N.
Roy, Shri Patiram
Rup Narain, Shri,
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Sakhare, Shri
Saksena, Shri Mohanlal
Samanta, Shri S. C.
Sanganna, Shri
Sankarapandian, Shri
Sarmah, Shri
Satish Chandra, Shri
Satyawadi, Dr.
Sen, Shri P. G.
Sen, Shrimati Sushama
Sewal, Shri A. R.
Shahnawaz Khan, Shri
Sharma, Pandit Balkrishna
Sharma, Prof. D. C.
Sharma, Shri K. R.
Sharma, Shri R. C.
Shastri, Pandit A. R.
Shastri, Shri H. N.
Shivananjappa, Shri
Shobha Ram, Shri
Sidhnanjappa, Shri
Singh, Shri D. N.
Singh, Shri Babunath
Singh, Shri H. P.
Singh, Shri L. J.
Singh, Shri M. N.
Singh, Shri T. N.
Singhal, Shri S. C.
Sinha, Dr. S. N.
Sinha, Shri A. P.
Sinha, Shri Anirudha
Sinha, Shri B. P.
Sinha, Shri C. N. P.
Sinha, Shri G. P.
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri N. P.
Sinha, Shri S.
Sinha, Shri Satya Narayan
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Sodhia, Shri K. C.
Somana, Shri N.
Subrahmanyam, Shri T.
Sundar Lal, Shri
Suresh Chandra, Dr.
Suriya Prashad, Shri
Swaminathan, Shrimati Ammu
Syed Ahmed, Shri
Syed Mahmud, Dr.
Tandon, Shri
Telkikar, Shri
Tewari, Sardar R. B. S.
Thimmaiah, Shri
Thomas, Shri A. M.
Tivari, Shri V. N.
Tiwary, Pandit D. N.
Tripathi, Shri H. V.
Tripathi, Shri K. P.
Tripathi, Shri V. D.
Tudu, Shri B. L.
Uikey, Shri
Upadhyay, Shri M. D.
Upadhyay, Shri Shiva Dayal
Upadhyaya, Shri S. D.
Vaishnav, Shri H. G.
Vaishya, Shri M. B.
Varma, Shri B. R.
Vartak, Shri
Vijaya Lakshmi, Shrimati
Vishwanath Prasad, Shri
Vyas, Shri Radhelal
Wilson, Shri J. N.
Zaidi, Col.

The motion was negatived

Mr. Speaker: Now, Sardar Hukam Singh. Shall I put his motion to the House or does he want to withdraw it with the leave of the House?

Sardar Hukam Singh: With the amended form of the Doctor's motion, my motion is substantially covered. I beg leave of the House to withdraw.

The amendment was, by leave, withdrawn

Mr. Speaker: Now, the improvement or the addition which I am making in the motion of Dr. P. S. Deshmukh is this: I am adding this para:

> "that the Joint Committee is also authorised to consider all amendments to those sections of the original Act which are not sought to be amended by the Bill under reference to the Committee".

That covers it, following his own words. Is that all right?

Sardar Hukam Singh: Yes, Sir.

Mr. Speaker: So, now, we will put this off for some time as I said, just to have personnel of the Select Committee settled and we will take it up after about half an hour, or at any definite time of the day.

Sardar Hukam Singh: Can it not be put off till tomorrow morning?

Mr. Speaker: No. The hon. Member will see it has to go to the Council of States for consideration, and we are running against time practically. It cannot be put off that way. We will just defer it and take it up any time before 1 o'clock.

Shri Sarangadhar Das: There is no use putting it off for half an hour.

Mr. Speaker: The names are not ready. Therefore, instead of taking up the time of the House in discussing the names here, it is better they are settled outside. The discussion will be more free outside than inside the House. Meantime, we will proceed with the next business, and whenever the names are ready, the motion will be taken up for voting. There is nothing more to be done about the motion now.

Shri Satya Narayan Sinha: Latest by 12 o'clock.

Mr. Speaker: Yes, I am agreeable. At 12 o'clock we suspend the business and put the motion.

We will proceed with the further business.

CENTRAL TEA BOARD (AMENDMENT) BILL

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to move:

> "That the Bill further to amend the Central Tea Board Act, 1949, be taken into consideration".

The Bill before us has got a very restricted scope. The members nominated by Government to serve on the Central Tea Board are in the nature of persons nominated—what we call *persona designata*—in their own names. It is rather difficult for Goverment always to permit the same officer to go. The exigencies of services make it sometimes necessary to send another officer, and unless we ask the officer concerned to resign, his membership, accept his resignation and nominate somebody else, this is not usually possible. The amendment now sought to be incorporated is to permit a substitute being sent. The discussion on who is to nominate and who is to have the powers to do so are somewhat beside the point for the reason that the Ministry concerned is responsible for nominating the official, and it is better left for them to see that a junior officer is not nominated but only a senior officer is nominated so that the interests of Government and the industry may not suffer. That in substance is the scope of the present amending Bill.

[MR. DEPUTY-SPEAKER *in the Chair*]

I would at once anticipate that discussions will emanate rightly or wrongly in regard to the entire scope of the original Act, whether that has to be revised, whether the representation on the Board has not to be changed, whether the new interests which have now come into being which have had no representation so far should not be given representation etc. All these things will be certainly the subjects for comment by hon. Members who will participate in the discussion of this Bill. But I would like to give this general assurance to the House at the outset. There are a number of such measures for which my Ministry, the Ministry of Commerce and Industry, is responsible administratively,—such as the Central Tea Board Act, the enactment relating to the Central Tea Licensing Committee, the Coffee Marketing Board, the Rubber Board, the Silk Board and so on. I quite agree that the original Acts in all these cases were passed at a time when we did not have the full picture before us, and so a review is undoubtedly necessary; in undertaking that review, Government will have to see that the interests which have not been represented now or do not have adequate representation now, should be given representation. My object in referring to all this just now is to give the assurance to this House that the question of reviewing all these Acts is now engaging my attention. I do propose to go into it more thoroughly when we shall have a little more time, when Parliament adjourns and we may have a little more time, during the inter-session period. I cannot commit myself as to the date on which I would bring in the amending Bills. All that I can say now is that I shall do so as soon as possible. I think that assurance ought to satisfy hon. Members who feel that the parent Act has to be amended and would justifiably like to voice their opinions on this occasion.

But considering the fact that the present Bill relates to a very small matter relating to the Government's attitude as to whom to send as their representative in the Board, I hope, the House will pass the Bill without much of a discussion.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill further to amend the Central Tea Board Act, 1949 be taken into consideration."

Shri A. C. Guha (Santipur): I quite agree with the Hon. the Minister when he says that the scope of this Bill is very limited. But it does really affect the composition of the Central Tea Board. Only two days ago there were some questions in this House about the tea industry, and we tried particularly to draw the attention of the Government to the control that is being exercised now by the British interests over our tea industry. In fact some of the sections of the entire tea industry is thoroughly British-controlled. I am glad that the hon. Minister has admitted that the original Act is absolutely out of date. The other day the House amended a similar enactment in regard to the Tea Licensing Committee. Some members of that committee have been members since 1933 or 1937 or thereabouts, and the provision in the original Act was that the members would continue as long as the original Act continues. Even after we have attained our independence such things are allowed to continue.

The Central Tea Board collects a revenue of about Rs. 1 crore, out of which about Rs. 50 lakhs are handed over to the International Tea Board, in which India has almost got no voice or control. In the course of an interpellation or two some two days ago, I tried to draw the attention of the hon. Minister to the question whether the auction held in London was done under discriminatory and unfavourable conditions for Indian tea. The United Kingdom have abolished the subsidy of 8d. per pound of tea or so...

Mr. Deputy-Speaker: The hon. Member will kindly remember that the Central Tea Board (Amendment) Bill is very very restricted in its scope.

Shri A. C. Guha: But the Central Tea Board is in control of all these things.

Mr. Deputy-Speaker: The scope of the amending Bill is very very limited. There are four official members to be nominated by Government. If per chance one of those members is not able to attend the meeting, the only question is why there should be vacancy, and why a deputy should not be appointed. The hon. Member himself suggested that a substitute might be appointed. All that the Government says here is that the nominated official may delegate his powers to a substitute officer under certain conditions to be regulated by the rules. That is the simple position. So one cannot go into the general principles of the composition of the Tea Board, how it is to be changed, what subsidy is to be given etc.

Shri A. C. Guha: The Bill is regarding the composition of the Central Tea Board, which is controlling all these things.

Shri T. T. Krishnamachari: I have mentioned earlier that I quite realise that this Act has to be reviewed and I have also promised this House that I shall undertake that review and bring forward an amending Bill as soon as it can be done. That assurance I gave at the very outset, so that the hon. Members who are dissatisfied with the present position of the Board might be satisfied that something is being done. I am working on that, and I do not know how long it will take before I could bring in the amending Bills. I would also like to say that all these points have been impressed on the Government by way of interpellations. My hon. friend will, I hope, take this assurance from me. I think therefore that further discussion on this Bill would be needless.

Shri A. C. Guha: At the same time we should realise that the tea industry is passing through a crisis and to a certain extent the Central Tea Board is partly responsible for it. By abolishing the subsidy in London......

Mr. Deputy-Speaker: I am afraid I have to remind the hon. Member again that this is not within the scope of the Bill. The Bill seeks to amend only a particular clause or a fraction of a clause of the original enactment. Can we now go into the entire composition of the Tea Board, or say how the members of the Board have to be changed and so on. The only question now is that in case one of the officials who has been nominated goes on duty elsewhere, whether his place in the Board should be kept vacant or whether some other man should take his place. So for the time being, I am afraid, all these arguments however useful and good are not relevant to the Bill, which deals with only a small fraction of a particular section of the original Act, and does not in any way interfere with the principle of the Bill.

Shri B. Das (Jajpur-Keonjhar): May I submit, Sir, if you will give me the permission to say, that this Government representation has not been functioning so far in the interests of my nation and so I oppose this Bill? I do not want any Government representation at all on the Tea Board. If you will permit me to speak, I would like to give certain advice to the hon.

Minister. He referred to the great controversy over the injustice that is being done to the Indian tea industry from 1933 onwards, and how British capital is controlling the Indian tea interests. If you will allow me to speak, Sir, I would like to submit that the whole Tea Act itself must be revised.

Mr. Deputy-Speaker: I am sorry I am placed in a very delicate and embarrassing position. I understand that the matter is urgent, important etc. But the scope of the present Bill does not permit a discussion of this kind. The only point with which this Bill deals is the question whether a vacancy that arises in case one of the nominated Government officials goes on duty elsewhere and is not able to attend the meeting, should be filled up or not. This Bill gives Government power to appoint a substitute in his place. Supposing the Bill is thrown out, what will happen? If out of the four members, one member is absent, then there will be a vacancy. That is all. So, this Bill does not even touch the outermost fringes of the original Act. There is no meaning in saying that the situation relating to the original Act should be revised, when any amending Bill to that Act comes up for discussion. It is not as if the entire situation shou'd be re-opened for discussion. I would like to draw the attention of the hon. Members to this important point.

Shri A. C. Guha: But the interests of the Indian tea industry are involved.

Mr. Deputy-Speaker: I tried to persuade the hon. Member but if he would not agree to that, I am afraid I will have to rule it out of order.

Shri A. C. Guha: The colossal British interests have forbidden the Indian tea industry from......

Mr. Deputy-Speaker: All that the hon. Member can say is that the original Act must be reviewed as early as possible and a new act should be brought forward. The hon. Minister has agreed to do so. And pressure might be brought to bear on him to see that the amending Bill is introduced in the next session or if possible even in this session. So one cannot proceed any more than that. So the general principles of the Act should not be talked about here.. I have given a concession to the hon. Member even for saying that the original Act should be reviewed. But if he proceeds still further to deal with the original Act, I am afraid, that is not relevant.

Then, Sir, as regards the provisions of this Bill, I do not like the idea that the power to nominate a substitute should be given to the officer himself. I think the Government should nominate substitute Members or alternate Members, as is done in many other Committees. Even the Central Tea Board are sending substitute Members for their International Tea Board meetings.

Shri T. T. Krishnamachari: That is covered by the amendment to Section 15. The Government will say 'Why and where we could do it?'

Shri A. C. Guha: Instead of leaving the option of nominating the substitute to the officer himself, the Government should take it up. Or there should be some provision that the officer should do it with the previous sanction or approval of the Government. I do not like that this power should be given to the officer so that he may nominate anybody. Sir, I am not allowed to speak on the working of the Central Tea Board. There is practically a collusion between these British tea interests here and the auctioneers there and that is why a crisis has come in.

Shri B. Das: My hon. friend, the Commerce Minister, never drinks tea.

Shri T. T. Krishnamachari: Question.

Shri B. Das: He does not drink even coffee. I think most of the difficulties that the tea industry and the Finance Minister are suffering is due to the failure to do their proper duty by the representatives of the Commerce Ministry on the Board. The Board was appointed in 1933 and was carrying on in perpetuity keeping the Tea market in London so that the Indian growers of tea have suffered and all the advantages are enjoyed by England and Tea planters. My hon. friend—I am glad he is an astute economist and financier—understands the problems that India is facing today. The members of the Tea Board were mostly nominees of the British Government and their stooges in India. I recollect and you must be recollecting when I remind you there was an order......

Shri T. T. Krishnamachari: On the point of information, Sir. The Tea Board Act was passed in 1949 and the Tea Board was constituted in 1949. The British had nothing to do with it.

Shri B. Das: I am referring to the other thing. You can understand it and if you do not understand, then you cannot be a Commerce Minister. There was an order from the tea planters that so and so must be Chairman and that man must have been a

[Shri B. Das]

stooge, a Britisher, who believed in the development of the trade of England and in the maintenance of the prosperity of England and not of India. We are ashamed, we are humiliated. The Government of India should take early steps to do away with the present nominees. We do not want them. My friend is assuring us that he is going to bring a comprehensive Bill in the near future. I think his predecessor, whoever he was,—Mr. Bhabha—ought to have brought this Bill in 1947-48. It is shameful and humiliating to us that we are exploited by the English brokers, tea brokers and other agents. Our economy is still dominated by them. I do not object to X being changed by Y, but I think X and Y should be national minded. At present they are not. They behave as almost the same stooges as they have behaved for the last so many years and it is most humiliating for me to stand here and say what I am saying. With these few remarks I hope he will bring a Bill, the first in the next session, to control England's powers over our tea trade. Calcutta should sell all Indian tea so that our dollars should not get out of India to help the British trade. It is most humiliating and shameful.

11 A.M.

श्री आर० के० चौधरी (गौहाटी): शायद आप को मालूम है कि मैं ने और आप ने एक संस्था में साथ काम किया है . . .

Mr. Deputy-Speaker: Is this Assam tea?

Shri R. K. Chaudhury: You and I are in the same boat, Sir. I want to speak in Hindi.

Shri T. T. Krishnamachari: You will not get a reply.

श्री आर० के० चौधरी : मैं शुरू शुरू में माननीय टंडनजी को यह बतलाना चाहता हूं कि वह मुझे क्षमा करेंगे अगर मैं ग़लत हिन्दी बोलूं।

माननीय सभापतिजी, शायद आप को मालूम होगा कि मैं और आप एक समय एक स्थान पर बैठे थे जिस में हम दोनों ने यह शर्त की थी कि जहां तक हो सके हम हिन्दी में भाषण करें। इसलिये इस में आप को कोई तकलीफ नहीं होगी। मेम्बरों को भी कोई तकलीफ नहीं है, जितना कष्ट और परेशानी होनी है मुझ को ही होगी क्योंकि मैं ज्यादा हिन्दी नहीं जानता हूं। न मुझे ज्यादा हिन्दी शब्दों का इल्म है। इसलिये मैं आप को ज्यादा समय तकलीफ भी नहीं दूंगा। जल्द से जल्द बोल कर खत्म कर दूंगा।

मैं भी एक सेन्ट्रल सिल्क बोर्ड का मेम्बर हूं। और सेन्ट्रल सिल्क बोर्ड.....

I beg your pardon. It is on account of the language difficulty that I have been put in this position. As regards the Central Tea Board, that is a subject in which I am vitally interested. So I give up Hindi now. I can speak with some practical experience about the nomination of official members in these Boards. I speak from the experience of my working in the Central Silk Board. (*Interruption*). I am sorry, Sir, if the House is annoyed with me for making that silly mistake.

Mr. Deputy-Speaker: What is the connection between silk and tea?

Shri R. K. Chaudhury: The House will take this into consideration. In the Silk Board also there was representation by nominees.

Mr. Deputy-Speaker: Order, order. What is the connection between silk and tea? Is it that some cups of tea were offered when the Silk Board was meeting?

Shri R. K. Chaudhury: I am speaking of my experience as a member of the Silk Board, as regards the working of the nominated members in the Tea Board. That is what I am trying to say and the language has put me in difficulty. Now in certain matters technical knowledge is necessary and such technical knowledge can only be given by a member sent by the Government. For instance, the Director of Industries is a member specially qualified to know about the silk industry in a particular State. Now, what happened was—I am speaking from some experience—in the first initial meeting of the Silk Board, there was no representative from the State of Assam in the Board. The State of Assam could not send their representative to that Board with the result that the Board was under a great handicap because they did not know about certain spinning machines. The Board could not give them the technical idea of the invention of certain spinning machines. Similarly, even in the Central Tea Board if the particular official member who has the technical knowledge of a particular subject is exempted from attending the meeting what happens is that the man who deputises for him merely becomes a show piece, an ornamental addition, because he does not know anything about the subject. I am referring again to the Silk Board to point out that that difficulty was there also. We found that the official who deputised for the official member did not know anything worth knowing so far as that subject was concerned. The official member who was generally nominated to meetings of the Silk Board was the Chief Secretary of the State concerned. In my State one Mr. Mehta was the Chief Secretary and as Chief Secretary of the Government he could not usually attend meetings of the Silk Board. Actually he was the person who dealt with the subject and his absence greatly handicapped the proceedings of the Board. Therefore, we should take great caution in adopting this particular measure. I would say that ordinarily a responsible Government servant who is on the particular Board would not like to be present at the meetings—he would excuse himself for some reason or other: he would say he has a more important pressing engagement and therefore he cannot attend the meeting. After all, the Central Tea Board I think meets only quarterly and if there were exemption for those meetings in favour of the particular official nominated as member, then probably he will never have an opportunity of appearing at the meetings of the Board. Especially when the Board meets only about four times in the year there should be no such exemption allowed because in that case if would practically maen that the officer will not be attending the meetings of the Board at all and the Board would lose the benefit of his knowledge. After all he has been nominated by the Central Government after careful consideration, because in the opinion of the Central Government or of the State Government who have recommended that particular officer, he knows the subject. But if you say he may not be present, he may send somebody else to deputise for him, then it will so happen that the Board will not get the advantage of his experience and knowledge. We should not leave any loophole for such a thing.

Shri Vallathara (Pudukkottai): On a point of information, sir. I want to know who are the four officers at present on the Board, their status, on how many occasions how many of them were not able to attend and how the proceedings of the Board became affected. I would also like to know the extent of the powers of delegation and of the grades of officers to whom such delegation can be made. Also, why have not non-officials been represented on that Board so far.

Mr. Deputy-Speaker: In the other clauses of the Bill there may be provisions for non-official members.

Shri N. M. Lingam (Coimbatore): I thought a general discussion on the principle of the Bill would enable the hon. Minister to review the working of the Central Tea Board Act and that it would help him in bringing in legislation which he has promised to do after reviewing the working of the whole measure. But since it has been ruled that discussion should be confined strictly to the limited scope of the present amendment, I have to make only a few observations.

The difficulty which this Bill seeks to remove will arise only if the official members nominated by Government are unable to attend the meetings of the Central Tea Board but such occasions will presumably be very rare because the meetings themselves are few and if the members nominated by Government do not attend—and these are the members who act as a liaison between the tea industry and the Government—it is a sad commentary on the attitude—the officers have towards the industry as a whole.

Since the hon. Minister has promised to review the working of the Act, I think there is no urgency for trying to get this measure passed since in any case it will not affect the working of the Act in any appreciable degree. So, I would suggest that this measure be dropped in view of the promise of the Minister that he would bring in comprehensive legislation after reviewing the working of the Act. However, if this measure should be passed then I would submit that the designations of the officers be clearly stated so that this House may know whether they are responsible men and whether they are in a position to act as liaison officers between the tea industry and the Government. The preamble of the original Act says:

> "Whereas it is expedient to provide for the development of the tea industry under certain control and for that purpose to establish a Central Tea Board...........".

But all that the Government has to do with this Act XIII of 1949 is to have four officers nominated by it on the Board. But now they are finding it difficult to be present at the few meetings held by the Board. I submit

[Shri N. M. Lingam]

that this is a poor testimony of the interest evinced by the Government in the development of the industry. The country has a vital stake in this industry which contributes one-third of our export trade and in which nearly a million men are employed. Therefore, I repeat that the Central Government which wants to assume responsibility for the development of this vital industry should nominate really responsible persons. And in case there is any hurry in passing this measure which seeks to enable nominated officials to send their deputies to the meetings, the designations of the officials to be deputed may be incorporated in this measure itself.

I would, however, in the end repeat that if possible this Bill may be postponed till the comprehensive legislation which is required urgently and which has been promised by the hon. Minister is introduced in this House.

Shri S. C. Samanta (Tamluk): The hon. Member, Shri Guha has suggested in his amendment that instead of the nominated member deputing another official in his place provision should be made by the Government itself for such a substitute when the official member cannot attend a particular meeting. I would submit that when an official member is nominated to take part in the proceedings of the Board but if he is prevented by his duties from attending the meeting at any time, the liaison breaks. Therefore, in order to keep the liaison between the Government and the Board intact, may I suggest that along with the nomination of the official member Government may also provide for a substitute official, who should also be nominated to the Board, so that when the official member is unable to attend he can go and attend the meetings of the Board. In that case he will always be well-informed and conversant with the proceedings relating to the Tea Board and would also have a knowledge of the working of Government. I would therefore request the hon. Minister to give thought to this matter, so that when Government nominates the four persons they may also nominate four substitutes. As far as I know, the four persons in question were nominated by Government from the Ministries of Commerce and Industry, Food and Agriculture and another whose name I do not recollect. Now that the Commerce and Industry deals with both the subjects, they can nominate two persons from it, but from Food and Agriculture which continues to be as before, there will be one person. So, difficulty will arise about the fourth man. In the circumstances, I request the Government to appoint the substitutes also.

Shri Keshavaiengar (Bangalore North): As the Act now stands, it makes it necessary for Government to take various factors into account in appointing the officials to the Board. But that object will, I am afraid, be frustrated by this amendment. I suggest therefore to the hon. Minister to consider whether it would not be wholesome to get this deputation made in consultation with the Government. Otherwise, the object of this salutary provision may be nullified. Only the Government will be able to take all matters into account when nominating the officer. If the officer himself is asked to nominate his successor, those considerations may not prevail with him. Therefore, that officer may depute, in consultation with the Government, his substitute when he is unable to attend.

Shri K. K. Basu (Diamond Harbour): I thought that during the discussion on this Bill we would have an opportunity to discuss the working of the Central Tea Board and the present position of the tea industry. Tea has cosmopolitan appeal and many things can be said about it, but in view of your ruling I do not know whether I can deal with those matters. Further, the hon. Minister has given an assurance that he would bring a comprehensive Bill, possibly in the next Session, when we can express our point of view. Therefore, the scope of the present Bill is much too limited and it relates only to the restricted subject of the Government representative on the Central Tea Board. It seems to me that in bringing this amendment, Government consider that its nominee is not rendering any effective service to the Central Tea Board, because under the existing arrangement the nominee is unable to attend the meetings due to other work. As you know, Sir, in these Boards which indirectly or directly lay down the policies and control the working of particular industries, continuity of experience and knowledge is a very important factor. If Government sends a Deputy or Joint Secretary and at the last minute that man's services are called up elsewhere and another man is sent who has practically no knowledge about this subject, the position will be that the new man will depend upon reports from his subordinates. Unless Government thinks that their servicemen are still like the bureaucrats of the olden days who were supposed to know anything and everything in heaven and earth, I feel that they are taking a retrograde step by this amendment. We have a National Planning Commission and in the near future we hope to plan and develop our economy and industrial resources and increase the national wealth. Let the Government therefore consider establishing a special cadre of men who have knowledge of the working of industrial undertakings. If people without knowledge and experience are sent to work on these Boards, there is every likelihood that they will try to repeat in a parrotlike fashion whatever instructions they receive from their superiors. This point of view must be considered. In future, when Government nominates any representative, they should send really experienced men and people with some knowledge of the tea industry. I also think that the Government should have brought forward another amendment in this connection in regard to the nomination of a labour representative. In our country there are many labour organisations and quite a good many of them do not see eye to eye with Government policies. I feel that the section relating to the labour representative should be amended in such a way that the labour's point of view would be represented, not by a representative nominated by Government but by labour organisations in their own rights. My feeling is that this amendment also should have been brought in by the hon. Minister along with the present one.

Shri Jhunjhunwala (Bhagalpur Central): The Bill as it has been introduced appears to be a very simple one but having regard to the importance of the Tea Control Board and the important functions it has to perform I feel that we shall be setting up a very bad example for the future if any member of the Board who is nominated by Government is given the right to nominate anyone else to act in his place or on his behalf. The man who has served on the Board picks up some experience and when Government appoint anybody, I think they do it with the full knowledge that that man will go there and act properly and that he has a full insight into the working of that industry. Therefore, if he is sent there, he is sent for some particular purpose. If that man deputes somebody else in his absence, I would consider that that is not a proper thing. Therefore, from this point of view I oppose the amendment.

Shri T. T. Krishnamachari: I am afraid my hon. friends who have spoken on this measure have misunderstood the scope of the measure and also completely ignored clause 3 of the Bill. It is not a question of leaving it to the officer concerned to depute somebody irrespective of whom he deputes and the considerations which have to be taken into account in deputing somebody else. Clause 3 says that the circumstances under which an official nominated by the Central Government under Section 4(3) may depute another official of the Government to attend any meeting of the Board on his behalf have to be taken into account. Therefore, the Government will have to mention the circumstances. It is not a question of X who is on the Board not going and sending Y who has nothing to do with the business.

Mention was made that Government neglect their responsibility in regard to these Boards. Government probably did neglect them in the past. During the last few weeks the amount of interest that this House has been taking in regard to tea matters and the number of questions which I have been hard put to answer in this House has revealed to me the necessity of having two or three official representatives on the Board who will keep me informed of what is happening and I myself realise more than ever the need for liaison between Government and the Board. I am not likely to ignore this particular and important aspect, because if the House wants to control the Ministry, the Ministry must naturally control the Board. So, we are not likely to appoint somebody who has no knowledge of the subject. What will happen is that supposing a Joint Secretary of the Ministry happens to be a Member of the Board and for some reason he is not in a position to go; his Deputy who is in charge of the work will go. It is a very simple matter. It is not a question of doing something which is contrary to the provisions of this Act or anything of the sort.

On the general question I have already said that I shall try my best to see if I cannot explore ways and means of amending this Act in a manner which will be acceptable to a large body of Members in this House at an early date. I am not able to fix myself to any particular date, because, once I make a promise it must be carried out. I am certainly prepared to give this assurance that

[Shri T. T. Krishnamachari]

the matter will have my close attention and sooner or later. I shall bring forward an amending Bill which I hope will satisfy a very large section of the House. For the time being, I hope the fears that have been anticipated by my hon. friends Mr. Guha and Mr. Jhunjhunwala are baseless.

One hon. Member from Madras wanted to know who are the members who have been nominated to the Board. The four members are:

Mr. K. N. Kaul, Joint Secretary to the Government of India, Ministry of Commerce and Industry;

Mr. Shername, Agricultural Marketing Adviser to the Government of India;

Mr. K. R. P. Ayyangar, Joint Secretary to the Government of India in the Ministry of Finance: and

Mr. Subarna, Controller of Immigrant labour, Shillong, an official nominated by the Central Government.

These are the four officials now functioning. It is true that many of them have not been able to attend all the meetings. There are four meetings of the Board every year. Mr. Kaul happens to be a member of the Executive Committee as well and it was represented to us by the Chairman of the Tea Board that it would be better if some substitute comes in his place when Mr. Kaul was unable to go. That is why we have undertaken this piece of legislation. I may also say that the Chairman of the Tea Board is appointed by Government This is the position so far as the query raised by my hon. friend from Pudukottah is concerned. I hope with this explanation the House will pass the motion before the House.

Mr. Deputy-Speaker: The question is:

> "That the Bill further to amend the Central Tea Board Act, 1949, be taken into consideration."

The motion was adopted.

Clause 2.— (*Amendment of section 4.*)

Shri A. C. Guha: I do not wish to move my amendment, but I would like to say a few words. The hon. Minister said that we have ignored the provisions in clause 3 of this Bill. In fact, I am perfectly aware of it. But I wish to point out to him that in clause 3 there is only provision for the circumstances in which an official nominee of the Central Government may depute another official. It is not mentioned how he will be nominated. From the point of view of broad principles, I think this should not have been left to the official. Anyhow as the hon. Minister has stated that he will bring in a comprehensive amending Bill I do not like to move my amendment.

The hon. Minister stated that the Chairman is nominated by Government. I think you may remember that in the Estimates Committee we had occasion to review the activities of this Board; and the activities of the last Chairman also came under our examination. I hope I would not be divulging any secret if I say that we were not at all satisfied with the way in which the Chairman was functioning. It cannot be said that in any sense he was functioning as a representative of Indian interest. Of course, he is now on leave and may be removed. Even now I do not know whether Government will be able to pick up a right person who can protect Indian interests. I know that about 80 per cent. of the capital is British. But still the Central Tea Board is an organisation which should protect Indian interests. I would not have mentioned all this, if the hon. Minister had not referred to it. I hope he will at least see that the right person is nominated who will not be a stooge of British interests.

Shri B. Das: I wish to add one word. When I made that speech I had the Chairman's instance in my mind. As far as my memory goes, the Chairman has never obeyed the Government of India in any matter. He has functioned as a representative of the British capitalist interest. Whatever may have happened in the past, I hope the sovereign Government of India is not going to take orders from the British capitalists or the tea interests in England. I hope the hon. Minister will soon bring forward the Bill he mentioned, and I will have occasion to bless it.

Shri A. C. Guha: May I put one question to the hon. Minister. Is it true that in regard to the appointment of a very important official the Government did not approve the name recommended by the Central Tea Board and even then the Tea Board reasserted its right to appoint that same person and has practically asked Government to eat humble pie by accepting its nominee?

Shri T. T. Krishnamachari: I am unable to give an answer. I have not got the information.

Shri Bansal (Jhajjar-Rewari): I generally do not like to join issues with elderly gentlemen like Shri Jhunjhunwala, but I was really surprised when he was opposing this innocuous amendment.

The power to nominate substitutes when a representative on a particular committee cannot attend its meetings is a well-recognised principle which has been given in many committees that I know of. I have experience of one or two international conferences and I know that even in the Governing Body of the ILO which is the main executive of the International Labour Conference, there is what is called a titular delegate and he has a right to nominate a substitute when he cannot attend a particular meeting of the Governing Body. This has an additional advantage of training up junior people to take the place of senior people when they retire. Now if all the positions of a representative character are being taken up my senior officials and younger people are not given a chance to represent them, even when they cannot attend a meeting. I do not know how we will be training up the younger generation. From that point of view this amendment is very necessary.

Then there need not be any apprehension that the substitute who will be appointed will perhaps not know the job, because I understand that there is a well-established practice that representatives who are nominated speak to a brief and the brief is provided by the Ministry or the Department concerned. So, I welcome this amending clause and I think the House will pass it without making any changes.

Mr. Deputy-Speaker: The question is:

> "That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clouse 3 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Enacting Formula were added to the Bill.

Shri T. T. Krishnamachari: I beg to move:

> "That the Bill be passed."

Mr. Deputy-Speaker: The question is:

> "That the Bill be passed."

The motion was adopted.

RESERVE AND AUXILIARY AIR FORCES BILL

The Minister of Defence (Shri Gopalaswamy): I beg to move*:

> "That the Bill to provide for the constitution and regulation of certain Air Force Reserves and also an Auxiliary Air Force and for matters connected therewith, be taken into consideration."

The Bill is a fairly simple one. In a modern Defence organization it has almost become a necessity that we should provide reserves to every branch of the Armed Forces for the purpose of men being trained and kept ready, for being called up in emergencies. We have already provided for such reserves in the case of the Army and the Navy. This particular Bill provides for reserves in the case of the Air Force. The Bill deals with three different kinds of these reserves. There is, first of all, the Regular Air Force reserve, then there will be an Air Defence reserve and the third is an Auxiliary Air Force. Chapter 2 of the Bill deals with the Regular Air Force reserve. It provides for the constitution of that reserve, how its personnel should be found and the classes of persons who will be members in the reserve, their period of service and so on. Similarly in the case of the Air Defence reserve provisions are contained in this Bill for its constitution, its liability for service and the period of its service and so on. The Auxiliary Air Force is a counterpart in the Air Force of the Territorial force in the Army. There also we have inserted provisions which would make arrangements for the constitution of this Auxiliary Air Force and the conditions under which this Auxiliary Air Force will be constituted, trained and will function.

The Statement of Objections and Reasons gives the House a fairly full account of the detailed provisions of this Bill. There is not very much in these provisions. In the case of the regular Air Force, officers and airmen in the Air Force will automatically get transferred to this reserve on the completion of their service. As a matter of fact in the arrangements that now exist there is a liability cast upon every one of them that if and when a reserve of this kind is constituted, they are liable to go into that reserve and shoulder the liability of being called up for service whenever required. In the case of

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* Moved with the previous recommendation of the President.

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the Air Defence Reserve, it is really meant for people who have been pilots or who have taken the training necessary for service in the Air Force. They have first to get themselves registered and when they have done so, everyone in that register is liable to be called up for training or for service. The Auxiliary Air Force is something akin to the Territorial Force in the Army. There is one provision to which I should like to call the attention of the House, namely, clause 26 of the Bill. This provides for reinstatement in civil employ of persons required to perform service under this Act. Civilians have to be called up either for training or for service as the circumstances may require. They have to give up their civil employment either for training or for service. During this training or service, they get pay on the same terms as the regulars of the regular Air Force. These emoluments sometimes are not adequate from their point of view and there is also the risk that when they have been called on to serve in these reserves and when they go back, it might be that their employers may feel some hesitation in taking them back into service. Under this particular clause there is an obligation on the employer to take these men back into service and if an employer hesitates about it, then the matter could be inquired into by a competent authority which is provided for in this Bill, who will either exempt that particular employer from discharging this obligation, if there are adequate grounds for it or will direct him to re-employ such persons on such terms as he may think suitable, or in the alternative, the competent authority may direct him to pay adequate compensation for failure or inability to re-employ the person concerned.

Of course, there is one lacuna in this, namely, that there is no provision in this Bill as to what would happen to any difference in emoluments that a particular person may draw when he is being trained or serves in these reserves and his emoluments in his original employment. That is a matter which has engaged our attention in regard to the other two branches of the Armed Forces. We, of course, expect that these people will not be put to any reduction in emoluments during the time they are called upon for this kind of service. We expect the employers to play fair to them. As a matter of fact, as I told the House in another connection, the other day, we have circulated the Government departments whose servants are called up in this way that they should make arrangements for making good this difference. We have appealed also to private employers in this connection. That matter is perhaps one which we might go into when we come to examine the detailed provisions of this Bill.

As regards the rest, there is a power in the Central Government to grant exemptions in cases where the discharge of any obligations or any liability imposed by this Bill would be unduly embarrassing or inconvenient to the person on whom these obligations are thrown.

I have received copies of notices of a large number of amendments to what I thought was a fairly innocent measure. There are a few notices of amendments which suggest that the Bill may be referred to a Select Committee so that it may be examined in detail and the House can consider it after the Select Committee has reported. I wish to say in advance that I am not opposed to accepting this suggestion for a Select Committee. But, I think I would like to impose two conditions: (i) that the Select Committee should be a Joint Select Committee of both the Houses and (ii) that the Select Committee should report in time for enabling us to get this measure through before this session of Parliament closes, which would mean that this report will have to be received by us by the 28th or in any case not later than the 30th of this month.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to provide for the constitution and regulation of certain Air Force Reserves and also an Auxiliary Air Force and for matters connected therewith, be taken into consideration."

There are a number of amendments tabled to this motion, for reference to a Select Committee. The hon. Minister has said that he is prepared to accept a motion for Select Committee, provided it is a motion for reference to a Joint Select Committee. No hon. Member has so far given notice of a motion for reference to a Joint Select Committee. If any hon. Member moves....

Shri A. C. Guha (Santipur): The Minister himself may move it.

Shri Gopalaswami: My hon. friends Mr. Ramaswami, Mr. P. T. Chacko, Mr. Hirendra Nath Mukerjee have given notice of the self-same motion for reference of this matter to a Select Committee.

Mr. Deputy-Speaker: There are many others also by Mr. Giriraj Singh, Mr. Patnaik, etc.

Shri T. S. A. Chettiar (Tiruppur): May I say a word for the information of the House, Sir? The names from the other House may be got so that a motion may be made. Arrangements are being made to move it and it may be moved later.

Shri Gopalaswami: May I make a suggestion, Sir? If one of the hon. Members who have given notice of a motion for reference to a Select Committee is asked to move it in the terms that I have suggested, what this House has got to do is simply to fix the total strength of the Joint Committee, and the names of the Members of this House who will go on to that Committee. Then, a message will go to the other House and the other House will name its own Members.

Shri S. V. Ramaswamy (Salem): I beg to move:

> "That the Bill be referred to a Joint Committee. . . . "

Mr. Deputy-Speaker: We have the other form for this, that the Bill be referred to a Joint Committee consisting of so many Members of this House. together with so many Members of the Council of States, that this House recommends to the Council of States to suggest so many names, etc. I take it that the hon. Member has moved in this form:

> "That the Bill be referred to a Joint Committee consisting of. . "

How many Members?

Shri Gopalaswami: I suggest that we have about 12 from this House and 6 from the other House.

Mr. Deputy-Sptaker: The Chief Whip has given me a list containing 20 names, including the Mover.

Shri Gopalaswami: The Mover is not a Member of this House.

Mr. Deputy-Speaker: The Mover of the Motion for reference to a Joint Select Committee. So, I take it, 20 Members from this House and 8 from the other House.

Shri Gopalaswami: Twenty and ten.

Mr. Deputy-Speaker: All right; let it be 10 from the other House.

Shri A. C. Guha: That might be a precedent. It might be one-third. What they are entitled to is one-third.

Dr. P. S. Deshmukh (Amravati East): It might to recorded that this shall not be all precedent for any future Select Committee.

Mr. Deputy-Speaker: If we go on doing a thing and say it is not a precedent, what does that mean?

Motion moved:

> "That the Bill be referred to a Joint Committee of the Houses consisting of 31 Members; 21 Members from this House, namely:
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> Major General J. K. Bhonsle, Shri Shah Nawaz Khan, Sardar Surjit Singh Majithia, Shri P. T. Chacko, Shri T. S. Avinasnilingam Chettiar, Shri T. Subramaniam, Chaudhuri Raghubir Singh, Prof. N. C. Laskar, Shri Uma Charan Patnaik, Shri M. S. Gurupadaswamy, Shri H. N. Mukerjee, Shri Girraj Saran Singh, Shri R. S. Rao, Shri Rameswar Sahu, Shri Awadheswar Prasad Sinha, Pandit Balkrishna Sharma, Pandit K. C. Sharma, Shri T. R. Neswi, Shri Jaipal Singh, Shri Ajit Singh and the Mover, and 10 Members from the Council;
>
> that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of Members of the Joint Committee;
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> that the Committee shall make a report to this House by the 30th July 1952;
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> that in other respects, the Rules of procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and
>
> that this House recommends to the Council that the Council do join in the said Joint Committee and communicate to this House the names of Members to be appointed by the Council to the Joint Committee."

Shri U. C. Patnaik (Ghumsur): Before the Bill goes to the Select Committee, may I make a few suggestions because there are certain important points to be considered.

Mr. Deputy-Speaker: The hon. Member may speak. The procedure is this. After the main motion, if any motion for circulation or for reference to a Select Committee is made, it is an amendment to the main motion. Now both, the original

[Mr. Deputy-Speaker]

motion for consideration as also the motion for reference to a Joint Committee are before the House. Any hon. Member may take part in the debate. I presume Mr. Patnaik wants to speak.

Dr. M. M. Das (Burdwan—Reserved—Sch. Castes): On a point of information, it is the convention of this House that those Members who go on the Select Committee do not speak, at the consideration stage. I beg to know whether that convention is going to be followed now or not.

Mr. Deputy-Speaker: True, it is a convention. It is not as if this Bill will straightaway go to the other House. There are other people who are watching this: there are 360 million men. They must know what the view points are. Persons specially in the knowledge of things and who can contribute to the debate must be allowed to have their say so that other Members may give their reactions to this matter. So, in exceptional cases I will call upon them. I will make an exception in favour of Mr. Patnaik.

Shri U. C. Patnaik: I thank you for giving me an opportunity to address the House now, even though I happen to be on the proposed Joint Select Committee. That is because I feel that this is not merely a simple Bill as the hon. Minister for Defence with due modesty has put it, but I do feel that it is one of the most important Bills that have come up before this House, and several questions of policy are involved therein on which, even though there is the Select Committee, it is for the Members of this House representing the country to give some directions or to give some suggestions as to how the Select Committee is to tackle the problems.

I welcome this Bill because I believe that it is the best Bill on defence that has come up before the Central Legislature of India so far. It involves important questions like air-force reorganization and it takes into consideration the progress that has been made in other countries during recent years in this sphere. And it is better than any other legislation that has been passed, not merely during the British regime, but even since we attained freedom a few years ago. The importance of the Bill consists in several special features.

Firstly, it gives due importance, to and it lays particular emphasis upon, the air arm. Till now, India has been attaching the greatest importance to the Army section, neglecting its Navy and Air Force. It is true during the British regime that was the case because we had the R.A.F. to defend our skies, and the Royal Navy to defend our coasts. But since the attainment of freedom, it was up to us to lay due emphasis on the air arm, because, in a modern war, the air arm plays a much larger part than in wars of previous ages. It is not used merely for reconnaissance, but it is there also as an effective weapon of defence and offence. It is a necessary adjunct to the land arm and to the naval arm. But, still we find from our expenditure on defence that almost the bulk goes to the Army and very little goes to the Navy and the Air Force. In particular this year, we are spending out of Rs. 405 Crores of total revenue, nearly Rs. 226 Crores on defence, out of which the Army takes about Rs. 169 Crores, the Navy takes about Rs. 15 Crores and the Air Force takes about Rs. 25 Crores. This expenditure on effective services and capital outlay is exclusive non-effective services, and shows how we are not giving the same importance to the naval and air arms as we should do in the modern set up. If you see the budget of England for instance, you find that they are gradually reducing their expenses on the regular forces and on the land arm, and are increasing their expenses on the Reserves, Auxiliaries and the Air Force. It is thus really an important thing that we emphasize upon the air force, and the present Bill indicates very effective ways of expanding our Air Force. It is not merely a formal or a simple Bill, but it is of vital importance as it seeks to expand our Air Force through Air Reserves, Air Defence Reserves and through Auxiliary Air Forces, *i.e.*, by building up the civilian counterpart of the regular air force.

Secondly, this Bill provides for civilian participation in the most important aspect of our national activity, *viz.*, our national defence. I would like to bring to the notice of those Members who have no idea—I believe that there may be some Members who have no idea—of the classifications as regulars, reserves and auxiliaries. The regulars are the whole-time soldiers, navy men and aviators who are paid and maintained as standing forces, whereas reserves and auxiliaries are the main forces of the country and it is they who are to expand the regulars, to serve as a second line of defence and to minimise our defence expenditure while, at the same time, they give us a bigger and stronger defence force. Therefore, the importance of this Bill also lies in the fact that it envisages civilian co-operation in national defence. It requires more of civilians to be interested in national defence, and to play a part in the air defence of the country.

Thirdly, this Bill supplements the meagre Air Forces of the country by Reserves, Air Defence Reserves and Auxiliary Air Forces, thus considerably strengthening the air defence of the country.

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Fourthly, it is the first indication of the adoption of the principle of conscription in the matter of national defence. The second part of the Bill which relates to the Air Defence Reserve, involves a sort of conscription though limited in operation to certain sections of trained personnel, and that brings us to the question as to how far conscription is to be adopted, and in what form we are to adopt it in this country.

You know, Sir, that most of the western countries were having conscription in some form or other since about the period of the French Revolution, the Napoleonic wars, while England and America were not having conscription all those years and were having what is called the voluntary system of recruitment for purposes of defence forces. During recent years, U.K. and U.S.A. have also introduced a system of conscription, and it is for us to consider whether, in order to strengthen the defence of our country, we are or not to take advantage of the system of conscription. I do not want to say one way or the other, but I am simply posing these questions for consideration, for the considered views of hon. Members who have been thinking on the subject, as to how far we are to adopt some of these principles.

Then, another point. This Bill envisages, for the first time, a machinery for co-ordinating civilian and military efforts in organising the civilian defence machinery of this country. You know, Sir, that in this country there has been practically no suitable machinery for integrating civilian and defence activities in local organizations. Of course, the Territorial Force Act of 1920 had made some provision in this respect, but it was not implemented and then, the Territorial Army Act of 1948 went back upon it and did not provide for any such civilian co-operation, any civil and military co-ordination. That is a very important feature in certain western systems which helps them to expand their defence forces, to minimise their defence expenditure, and to make the nations defence-minded. This Bill, particularly in the envisaged auxiliary forces associations, contemplates some such civilian and military co-ordination. In addition to the civil and military co-ordination which this Bill envisages, it also mentions that it is intended to correlate the Territorial Army organisation with this auxiliary force organisation. This takes us back automatically to the system introduced in the United Kingdom in or about 1907.

It was an eminent jurist of England, Lord Haldane, as Secretary for War, who was responsible for the organisation of the civil and military co-ordination in England that is the very basis of the civilian defence organisation, in England. And that is a very important point that we have got to bear in mind because the existence of that institution popularises the territorial army organisation in England, popularises its auxiliary air force and the naval volunteers scheme. The absence of that institution in India is responsible for the lack of civilian co-operation, for the lack of popular enthusiasm in this country. And, therefore, I may be permitted to take some part of the valuable time of this House to explain how that integration is achieved in England, because we always say that our defence organisation is based on the United Kingdom model.

That organisation in England started in 1907 with Lord Haldane's territorial army scheme. There, it is not the Ministry of Defence that is responsible for the organisation of the territorials, for their governance but it is what are called the County Associations under the supervision of the Army Council, Air Council and the Admiralty that are responsible for the organisation of the territorials. In each County there is an Association consisting of the territorial officers, the cadet forces officers, the joint cadet forces officers and the officers of some civilian defence organisation on one hand, they are to form the majority in the County Associations. And the minority members of the County Association are representatives of various institutions within that county. Trere are also representatives of the universities, of the employers and the workmen within that county. The importance of the

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association lies in the fact that it is able to co-ordinate properly the defence activities on the one hand and the civil activities on the other, because the territorials, the auxiliaries, volunteer forces etc. are forces of civilian units intended to expand the regular defence forces without a corresponding increase in the expenditure. So in these county associations, there are civilian representatives from all institutions within that county. The work of the association is laid down in that Act, to be formulated as "Schemes" under the Act. But the British Act is not like ours which just provides for offences and punishments only and not for the organisational side. If you read the 1907 British Act, or their Acts of 1921, or 1924, or 1939, or any of the various other defence Acts in England, you will find that the major part of each Act is devoted to the organisational aspect,—how the different units are to be organised, how civilian interest is to be created, how conditions are to be created which would allow the civilian industries to flourish and that civilian work does not suffer due to military activities. This is part of the work of the county association; the association has also to keep itself informed of the policy of the defence authorities, and to keep in contact with local needs and requirements. This is indeed a very vital part of its work. In England, that organisation was started in 1907 by one of the best defence-minded men of the day who was also the greatest jurist of England at that time. Even now—if you read the discussions in 1950 or 1951 of the British House of Commons, on the subject of defence reorganisation—you will find that they have made the 1907 System as the basis and proceed with that background in view. So, the important feature of the county association is civilian co-ordination. Another important feature of the organization is the local associations which elicit local sympathy and secure for the defence forces the best men; they see that there is the fullest local response for the territorial organisation. This was started in England in 1907. Though there was a sort of reminiscence of it in the Indian Act of 1920, we went back upon it in 1948, and till now free India has not thought of having civilian co-operation in the organisation as well as development of the defence forces of the country. I thank the hon. Defence Minister for the civilian co-operation which he contemplates for building up the territorial and auxiliary units.

In spite of all these important features of the Bill which make it perhaps the best Bill that has been introduced in this House on defence matters so far, I think there are many other questions also which have got to be considered not merely by a joint Select Committee, however representative it may be. There must be suggestions on certain issues from hon. Members who are interested in defence matters and who should have their say on some of these questions, though they are not on the Select Committee. By moving that the Bill be referred to a Select Committee, I am sure there is no attempt to delay the passing of this Bill, as the hon. Minister has tried to make out. We are out to try to improve the Bill and to make up for some of the shortcomings because this Bill does have certain shortcomings; and we want to have the considered opinion of hon. Members of this House who have been taking a keen interest in defence matters, who have tried to study the defence organisation of other countries, and who have tried to study the defence organisation in our own country, and investigate why the scheme of territorial army organisation is having very little response from the public. It is now open to those hon. Members to give certain directions to the Joint Select Committee by expressing their views in this House on those points.

In the first place, I beg to take objection to the Financial Memorandum which says that this Bill is only a permissive Bill, *i.e.*, if and when funds are available, this Bill is to be put into effect. I respectfully submit that if we study this question with interest, we will realise that we have to provide funds, and that we have to ask the hon. Defence Minister to try and somehow secure money or to make curtailments from other heads with a view to providing certain funds under this head. If you compare the figures in the U.K. Budget under Defence for 1950-51 with ours, you will see that they have curtailed their defence expenditure on regular forces, and have increased it on reserves, territorials and auxiliaries. From the figures published by the U.K.—India however does not publish any of these figures—you will find that the authorised maximum defence personnel in England for the regulars and that for the reserves, auxiliaries, etc. is so balanced that through the increase of the auxiliaries which cost less and which get the sympathy and co-operation of the civilians, the United Kingdom has developed its defence organisation. I would therefore say that instead of trying to make this Bill only a permissive one, this House and the Joint Select Committee will try to make it an effective piece of legislation and will try to bring into existence our auxiliary and reserve air forces. England started first with the auxiliary forces making the territorial army, the centre, because at that time there was no Air Force Organisation. Air force at the time was not considered to be an integral part of the defence organisation, but was thought of only as a sort of help to the regular army and the navy for reconnaissance purposes. But it was only later that the air force developed as the most important branch of the defence organisation. You might have read in the Press just a few days ago, that America is trying to reduce her expenditure on army, and to increase the Air Forces. It is, therefore very important that the Air Force has to be re-organised not merely by expanding the regular Air Force, but by the expansion of territorials, auxiliaries, and reserve forces of air also. It will be interesting to observe that England organised her territorials and reserve forces in 1924, and later on the pilots and observers scheme in 1934 and under the Military Training Act of 1939, it made compulsory training a feature of the Army, Navy and also the Air Force.

(*Interruptions*).

If you go through the Act that was passed in England in 1924, you will find a reiteration of the main principles of the Territorial Army Act of 1907 where civilian co-operation was welcomed and where machinery was created for the reorganisation of civilian 'military' personnel through the old county associations; what was added was the organization of county joint associations and auxiliary forces associations. They were there to supplement the county associations of the territorial army which was the main basis on which England built up its civilian defence forces. Unfortunately till now, even after five years of Independence we have not made any attempt—though the hon. Minister is now making this attempt —through auxiliary air forces associations to have that civilian cooperation. But then I give a warning which is based upon personal experience The National Cadet Corps Committee recommended N.C.C. Advisory Boards; provincial Boards were accordingly formed to advise the cadet corps organisation. This organisation is not functioning properly. I happen also to be on the Cadet Corps Advisory Board of a particular province, and we have not met more than thrice during the last four years. And even on these three occasions important matters of organisation were not placed before us. We were told that the officers in charge of the camps were in arrangement with the caterers,—taking the Cadets' money and utilising them for their drink parties. But still, however much we protested, there was no inquiry till now and we are helpless. That shows that these semi-military organisations or organisations to get civilian cooperation in military matters, are not being given proper effect and are not being shown respect by the military authorities who think that today they alone are responsible for the defence of the country and not the whole country. So this is an important feature of the Bill and I hope the hon. Minister and the Joint Committee and the House will express their opinion as to how these Committees are to be organised, how they are to ensure proper cooperation, how they are to ensure that the officers there do not go out of control, how we can ensure that it really serves the purpose it was intended to serve. These are things that have got to be examined and ensured.

Mr. Deputy-Speaker: The hon. Member may kindly reserve all the other details to the Select Committee.

Shri U. C. Patnaik: I am not going into the details, Sir. But with all respect to the Chair, I would point out that there are certain points on which we want, not merely the opinion of the Select Committee, but of other Members who have not had the privilege of getting into the Select Committee who should give us some guidance as to how to answer some of the questions. Therefore, I would just put three or four questions on which hon. Members may be pleased to give the benefit of their ideas. One is the question of conscription. That is a very important subject. As I said sometime ago, it is a question whether the country is going to have conscription or not. We are having conscription provided for in this Bill under the second class of reserve, the Air Defence Reserve, where civilian pilots, civilian officers and other civilian airmen and civilians trained in ground engineering and other duties can be conscripted. As far as I am concerned, I welcome it because the military history of the world has shown that that is the easiest and the most effective way of building up your defences and of interesting the whole country in defence. But still we must have some sort of suggestions from thinking Members of the House on

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that subject......(*An Hon. Member*: We are all thinking Members.). Then from everyone of us we expect some sort of guidance on this matter, and we hope we will get it in the course of the discussion on this subject and the general discussion of this subject will not be left with one or two speakers but I hope......

Mr. Deputy-Speaker: He may turn towards me and not towards the back.

Shri U. C. Patnaik: Then, there is another thing......

Mr. Deputy-Speaker: I am not curtailing the speech of the hon. Member. How long, may I know, will he take?

Shri U. C. Patnaik: I will take about 15 minutes more.

Mr. Deputy-Speaker: Then the hon. Member will resume it later. I am going over to the motion that has been outstanding, regarding the Preventive Detention Bill. I will put it to the House and then he may continue his speech.

PREVENTIVE DETENTION (SECOND AMENDMENT) BILL.—*contd.*

Mr. Deputy-Speaker: The question is:

"That the Bill be referred to a Joint Committee of the Houses consisting of 42 Members; 30 Members from this House, namely:

1. Shri M. Ananthasayanam Ayyangar,
2. Shri Halaharvi Sitarama Reddy,
3. Shri Balvantray Gopaljee Mehta,
4. Shri Narendra P. Nathwani,
5. Shri Ganesh Sadashiv Altekar,
6. Shri Hari Vinayak Pataskar,
7. Shri B. Shiva Rao,
8. Shri A. M. Thomas,
9. Pandit Algu Rai Shastri,
10. Shri Venkatesh Narayan Tivary,
11. Shri Tribhuvan Narayan Singh,
12. Shri Feroze Gandhi,
13. Shri Narahar Vishnu Gadgil,
14. Shri Kotha Raghuramaiah,
15. Pandit Lakshmi Kanta Maitra,
16. Shri Syed Ahmed,
17. Shri A. K. Basu,
18. Shri S. V. Ramaswamy,
19. Shri Dev Kanta Barooah,
20. Shri Jaipal Singh,
21. Shri Jaswant Raj,
22. Dr. Kailas Nath Katju,
23. Shri Hukam Singh,
24. Dr. A. Krishnaswami,
25. Shri N. C. Chatterjee,
26. Shri Sarangdhar Das,
27. Shri K. A. Damodara Menon,
28. Shri A. K. Gopalan,
29. Shri Shankar Shantaram More, and
30. Dr. Panjabrao S. Deshmukh and 12 Members from the Council;..."

Shri A. K. Gopalan: May I make a submission, Sir? I want to say that I wanted to be on the Select Committee...

Shri Jawaharlal Nehru: Let the motion be put first.

Mr. Deputy-Speaker:

"that the Joint Committee is also authorised to consider all amendments to those sections of the Original Act which are not sought to be amended by the Bill sitting of the Joint Committee

"that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of Members of the Joint Committee;

"that the Committee shall make a report to this House by the 29th July 1952;

"that in other respects the rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make;

"that this House recommends to the Council that the Council do join in the said Joint Committee and communicate to this House the names of Members to be appointed by the Council to the Joint Committee".

The motion was adopted.

Shri A. K. Gopalan: I want to make my position clear, that by being on the

Select Committee, as I have said before, we do not agree to the principle of the Act itself. If by being on the Committee it means that the principle of the Act itself is agreed to, then with this reservation I want to be on the Committee.

Shri N. C. Chatterjee: Sir, I also want to make my position and the position of my colleagues very clear...

Mr. Deputy-Speaker: Order, order. So far as this matter is concerned whatever consequences arise will be governed by the rules of procedure. I am not competent to give any particular instructions or to give any ruling upon this matter. The hon. Members' names are there.

Shri N. C. Chatterjee: I want to make our position clear. We are not committed to anything. We are for revising every section and clause of this Bill which we do not approve of and with that clear understanding we serve on the Committee.

Shri Sarangadhar Das: I also join in. Before agreeing to serve on the Select Committee I wish to make the position of my party clear. Our willingness—that of Shri Damodara Menon and myself—does not mean that we concede the basic principle of the Bill. We are opposed to the Bill in its entirety and shall examine every clause afresh.

Shri S. S. More: As I am also one of the Members and these declarations have been made by my colleagues, I think it would be wrong on my part to sit quiet. So I accept my name on the Committee subject to the same reservations.

Mr. Deputy-Speaker: The language of this Motion is quite clear. It will be interpreted as the language stands in the Select Committee.

RESERVE AND AUXILIARY AIR FORCES BILL.—*contd.*

Mr. Deputy-Speaker: The House will now proceed to the Reserve and Auxiliary Air Forces Bill. Mr. Patnaik.

Shri U. C. Patnaik: There are just a few points that I would like to place before this House for the valuable opinion of hon. Members before the Select Committee meets. As I have stated, the question of conscription involved in the organisation of Air Defence Reserves has got to be considered in the light of what has been done in other countries, particularly as a result of the National Service Acts of England and the National Security Act of America. Apart from it, there is another question also which is involved—whether the auxiliaries are to fight at home alone or abroad also. That has been a bone of contention even in U.K. for a very long time till it was allowed to rest just a couple of years ago in their Acts of 1949 and 1950.

The question is whether the use of auxiliaries, territorials and other volunteers raised should be confined only to defend the hearths and homes inside the country or whether they should be called upon to go abroad when required. That was a question that was discussed at length and discussed several times in the British House of Commons and it has finally been decided that they have to go abroad if called upon. At the same time those discussions make it clear why internal defence was made part of the provisions of the original Act till 1949 or 1950. The reason was that the very basis of the organisation was that everybody who volunteered must feel that he was volunteering only for defending his hearth and home and not for fighting a war of aggression. That is a point which has got to be considered.

The next point is whether our Act should make provision only for offences and punishments or also for the organisation and governance of the territorial and auxiliary forces. There is a gulf of difference between our Bills and Acts on the one hand and the Bills and Acts, for instance, of U.K., on the other. On a comparison you will find that their legislation provides for offences and punishments. When the members of these forces are under training the regular Army, Navy or Air Force Act applies to them. At the same time the Acts make lengthy references as to how the organisation has to be achieved, how the different units are to be formed, and how civilian institutions are to be organised so as to get the best possible response. A reading of their Act will give you an idea as to how all these things were attended to by Parliament itself while considering the Bill and framing the law, whereas here we frame a vague enactment, then leave it to the Ministry to work it out; and the Ministry leaves it—I hope this Ministry will not do so—to the Defence experts who leave it in turn to somebody down below, so that ultimately the most operative part of the law is found not in the Act itself but in the rules prepared by someone. This is a point to which we have to pay our attention.

While considering the question of conscription for the Air Defence Reserve we have to consider the question of conscientious objectors which has

[Shri U. C. Patnaik]

been provided for under the National Security Act of the U.S.A. and the National Service Act of England, and all the Army, Navy and Air Force Acts of England. You should take into consideration the conscientious objectors and their position. We too have made little provision on this point. Therefore, we have to consider the provisions of those other Acts and see how far we have to adopt them.

Another equally vital point of difference between our organisation and the organisation of territorials and auxiliaries in England, at least until 1950, is on the question of whether the territorial and auxiliary forces can be called out to aid the civil power when required. On that point the 1907 Act and subsequent Acts in the U.K. up to 1950 made it very clear that they cannot be called out in aid of the Civil power. The reason is that when you call upon civilians to get into the defence forces and organise themselves, it is one thing to tell them that they will fight for their hearths and homes and quite a different thing to tell them that they will have to aid the civil power. These are voluntary organisations, organisations consisting of civilians who have joined out of their free will to get defence training to defend their country, and to call upon them to aid the civil power would be something which cannot be attractive to them. We have to consider the whole thing from this point of view: How to make it so attractive as to make as large numbers of civilians as possible to join these auxiliary and territorial organisations. In England one of the vital points to be borne in mind is that they should not be called out in aid of the civil power. No doubt that system existed till 1950 but in that year a change has been made. Even in the original Act there was a sort of a rider that they could not be called out in aid of the civil power ordinarily, though they could be called out when all the entire civilian population is called up, that is when there is a mass conscription. Even then there is a further explanation that when territorial units along with all the other citizens of the country are called to aid the civil power, they should not go as members of the territorial or auxiliary forces but can only be called up as ordinary civilians, just as ordinary civilians are made to join the special police etc. at times of grave emergency. At such times they are asked not to go with their uniforms on and not to use any weapon other than those which the ordinary citizen is called upon to bear. That is an important point of difference. Of course, in 1950 they have made some change in regard to reserves because now everybody, (since the National Service Act) even the man in the street, who is above 18 years of age, can be conscripted into the defence forces. According to the change made in 1950 they have said that these reserve forces can be called out in aid of civil power. We have to consider whether we are to adopt the system introduced in England in 1950 or whether we are to fall back upon the system that obtained in England between 1907 and 1950 The vital point which has to be considered in this connection is to see how we can make it more attractive for the civilians to join these volunteer forces.

Another point to be considered is the conditions of service. The conditions of service must also be attractive. Of course, there are provisions here for the pay and allowances of the reserve and auxiliary forces just as in the case of the regular Air Force personnel. But there is another factor. I do not know whether the pay and allowances of the regular forces in India include bounties and things like that which are provided for in the U.K. Acts, to be granted to people in the Air Force who have to their credit additional training or extra number of flights in the air. In the case of such people these additional bounties are granted to make the service more attractive. I would leave it to the hon. Minister to tell us whether we have got any provision like that in our Bill.

Then there is the important question, namely availability of adequate equipment. We have been told that the forces cannot be straightaway organised, that it will take some time to organise them, because funds are not available and adequate training facilities also are not available. But the question to be answered is, on what are we laying our emphasis: having more 'planes and other equipment or making the country air-minded? This is therefore another point to be considered. Should we make the whole country air-minded, should we be in a position to have proper reinforcements in the shape of aviators and airmen if and when required, or should we lay emphasis more on having proper equipment if and when these people are embodied? This question also was examined in the Parliament in England and at that time Mr. Shinwell, referring to the World Wars I and II, said defeats in the early stages of the war were due to want of proper reinforcements in personnel. Somebody interrupted him and asked whether it was want of sufficient personnel or of proper equipment. He said both. Therefore, we have got to consider not merely availability of adequate training facilities but also the personnel required, because with the same amount of training facilities you can train more men if civilian flying clubs and similar institutions like glider clubs are organised. In Germany they gave first attention to civilian flying clubs, and glider clubs. These were financed and subsidised by the Government. In U.K. also the same thing was done. There were territorial county associations and they attempted to give training facilities not merely in the military centres but also in the civilian flying clubs and glider clubs organised by the local institutions. That is another feature which we have got to consider. I do not want to go into minor details as to who is the competent authority and whether we are going to have any organisation corresponding to the Air Council found in other countries. But I submit that there are a large number of questions which have got to be examined by everyone in this House before we discuss this Bill in the Select Committee.

Dr. M. M Das: The Bill before the House is a very important and necessary piece of legislation. Although we the Members of this House may differ in our opinions with regard to many things, so far as the present measure before the House is concerned, I think we shall be unanimous in our opinions and the hon. the Mover of the Bill will, have the least difficulty or trouble in carrying this measure through. Nobody in India today who wants to see his country free, and capable of maintaining that freedom against the aggression of any foreign power can remain blind to the unsatisfactory condition of our defence and any measure, calculated to strengthen our defence forces, is bound to secure the maximum amount of support from him.

Ours is a vast country and we have to our credit the second largest population in the world. Our industrial potential and natural resources are also said to be very great. But militarily our strength is insignificant in comparison with any strong power of the world today. Our backwardness in the scientific, industrial and technological development. Our absolute dependence upon foreign countries for higher military training, for ammunitions and military equipment, have rendered our defence forces weak and vulnerable. Only the other day we were discussing amongst ourselves the defence problems of our country. One of my friends who knows something about military science and who had the actual experience of commanding some forces during the last war told us that his head begins to reel when he thinks of the defence problems of our country. The natural or geographical defence of our country no longer exists. The great Himalayas that have stood for ages as the impregnable barrier on our northern frontier have now lost all importance as a bulwark against foreign invasion. May be that from now onwards, for obvious reasons, we have to pay more attention to the Himalayas themselves than we ever dreamt before? In the north west, the Khyber Pass and the Bolan Pass which were considered as the gateways of India and were far easier to defend are no longer ours. At present, in the north west our frontier stretches for thousands of miles along the plains of Rajasthan and Punjab. In the north east the impenetrable hills and jungles between Assam and Burma are no longer impenetrable. It was proved during the last war that military operations on a grand scale could be carried out through those hills and jungles, and it is through them that the Japanese army actually reached India. In addition to all these, we have our vast coastline stretching for 2500 miles and our Navy is not worth its name. Against this background, if we consider our utter inability to manufacture the ordinary equipments, required by our Army, Navy and Air Force, it is no wonder that one's head would begin to reel. But the most reassuring feature in this gloomy situation is the human element of our defence forces. So far as human material is concerned, our armed forces are still one of the finest in the world. If I rise today to give my unstinted and wholehearted support to this Bill, it is because I find that this Bill proposes to mobilise and make the best use of the human material available in our country so far as our air defence is concerned. Machines may manufacture aeroplanes, fighters and bombers, but they cannot manufacture a first-class pilot or a first-class gunner or a first-class radio operator. It requires human material of the highest order, along with the most costly and expensive training, to constitute an efficient airman. Then there is the time factor. In a country like America or Russia it may be possible to produce aeroplanes, fighters and bombers at the rate of one every five or ten minutes, but no amount of human ingenuity can produce an efficient airman or gun crew within five or ten minutes.

The measure before us today seeks to mobilise, conserve and make avail-

[Dr. M. M. Das]

able in case of emergency this highly specialised and expensive training in aerial warfare and aerial navigation. When this Bill is passed into law, and implemented it will serve four important purposes. Firstly, it will give additional strength to our Air Force. The regular Air Force, the Air Defence Force and the Auxiliary Air Force envisaged in this Bill will form a second line of air defence to our country. Secondly, many of our brilliant young men who cherish the idea of serving in our Air Force but who are prevented from doing so for some reason or other will find a chance to join the Auxiliary Air Force and serve their country. Thirdly, the costly planes which we have to purchase at fabulous prices and which are being replaced every day by more modern and more improved types of planes would be put to some useful purpose instead of being altogether scrapped. Fourthly, the costly training and experience of our veterans of the Air Force who have served and have completed their terms of service will be available in times of danger and emergency for the defence of our country. These advantages are not at all negligible and we cannot afford to lose them.

A detailed examination of the provisions of this Bill reveals some loopholes or drawbacks, and I shall point them out for the consideration of the hon. Mover and the House. First of all, I would like to draw attention to Chapter IV dealing with the Auxiliary Air Force. The Auxiliary Air Force provides fighter defence of the locality in which its units and squadrons are raised. It is the air counterpart of our Territorial Army. But the conditions of service in the Auxiliary Air Force are much stiffer than those in our Territorial Army. Even in the United Kingdom, which serves as the model for our defence forces, the conditions of service in the Auxiliary Air Force are much more liberal than those envisaged in this Bill. In the United Kingdom a member of the Auxiliary Air Force enjoys certain rights and privileges, not a single of which is to be found in this Bill. In the British Auxiliary Air Force the terms of service or the area of service for a member of the Auxiliary Air Force in Britain cannot be modified by any order. Secondly, no order can post a member of the Auxiliary Air Force to any unit other than that to which he was enlisted or to the regular Air Force. Thirdly, none can be transferred, appointed or attached to the regular air force without his consent under any order or regulation made after his enlistment; and fourthly every member of the Auxiliary Air Force has a right to enlist in any branch of the regular armed forces, if he can satisfy the prescribed conditions. Not a single one of these privileges has been provided in the Bill before the House.

The Auxiliary Air Force is a volunteer force and if the conditions of service are made so severe and stiff, then I am afraid, recruitment will be rather very difficult. Next, I beg to submit that the protection and the compensation to be given to a member of the Auxiliary Air Force against his employer who refuses to reinstate him in service are not at all adequate. The compensation provided in this Bill is six months' salary. I beg to submit that six months' salary is no consolation at all for a man who loses his means of livelihood for no fault of his own.

Another important matter to which I beg to draw the attention of the House and the hon. Minister in charge of the Bill is the constitution of the "competent authority". This "competent authority" has been entrusted with the whole burden of administration of the Reserve Air Force. Chapter I, section 2 of this Bill, gives the definition of this "competent authority." The definition says that any one air officer, (one single air officer) who is appointed by the Central Government, will constitute the competent authority. I beg to submit that very great responsibility lies upon the shoulders of this competent authority and it will not be fair and proper to place this heavy responsibility upon the shoulders of one single officer, however competent and efficient he may be. My suggestion is that a council of three or more senior officers of the Indian Air Force should constitute this competent authority. There are some other minor points which I wish to discuss when the Bill will be taken clause by clause.

Shri B. Das (Jajpur-Keonjhar): As one who has been in this House for many many years and has gone through the tragedy of foreign rule and foreign domination in all matters it heartily gladdens me to find that the Defence Minister after four years of our attainment of sovereignty has brought forward this measure. I do hope it will be a forerunner of various army reforms the need of which most of us are feeling.

The Army continues to be what it was when the Britisher left us a few years ago. I congratulate my hon. friend Mr. Tyagi for occupying that worthy position at the moment, because he is an ex-army man. The Government of India since 1947 has had no time to think of what India's defence forces should be. It was continuing the old machinery that was left over to us.

Why should there be three arms? There should be one administration and the three arms of the army should be controlled by that administration. I read somewhere that the President or the Rashtrapati is the head of defence. Whether the Rashtrapati is the head of defence or the Prime Minister becomes the head of defence, the three branches should be co-ordinated and controlled, so that it serves the best interest of India.

That old system of a huge land army—it is out-dated; it is out-moded. Yet circumstances so left us in 1947 that we are continuing them. We spend a huge sum of money on the land army. That is due to circumstances in Kashmir and the Indo-Pakistan border. But that does not mean that we should perpetuate and maintain a huge land army which is outmoded in 1952. That does not mean that the Chief of the land forces should not think of the defence problems of India as a whole, or give up a part of the huge expenditure we are having on land forces to maintain our air forces and naval forces.

I congratulate my hon. friend Mr. Patnaik on his well thought out speech, though I do not agree with all his criticisms and his appreciation of what happens in England. I am not enamoured of the British practice. Though I have got a land army—I call it my own forces, my India's land forces—I cannot say that our naval forces or air forces are completely Indian. My hon. friend Mr. Tyagi may remember that our naval forces are commanded by borrowed admirals from the U.K. We are the slaves of the U.K.

A few minutes ago we were discussing the Indian tea industry which is completely dominated by U.K. economy. In the same way the naval forces in India are completely dominated, bossed over and ruled by the U.K. Commander-in-Chief, or Admiral, or Rear Admiral—whatever may be the designation. I wish to know whether the Chief of our Air Force is an Indian today. He might be an Indian if the Englishman has left, but it has been the tradition to follow a shilly-shally and subservient policy. The U.K. is imposing her air officers as Air Marshals or Vice-Air Marshals on us. Is that sovereignty to me? No, certainly not. I have not got any sovereignty in the matter of defence. The other day my leader the Prime Minister asked on the floor of the House: what is there in borrowing British experts?

Are there no experts in this country? Why should experts from the U.K. come and not from Belgium? I have heard on great authority that the Belgian experts are not so sophisticated as the British experts. The British Officers whether they are training Indian officers at Poona or elsewhere, have got a reservation of mind. That reservation of mind in Britishers will never die. Those of us who have suffered the iniquitous administration of the Britishers in India know that the Britisher will never be a gentleman, will never be an honest man. I ask one question.

Mr. Deputy-Speaker: Is it necessary to make such sweeping remarks upon a whole nation or a community for the purpose of a debate?

Shri B. Das: I am talking of the British rulers. Today I am not satisfied that the Britisher who is paid by me in the Army Department to train up my officers to establish a complete defence of India is doing his bit. He has a reserved mentality and the U.K. and U.S.A. are trying to have certain domination over the Indian economy......

Mr. Deputy-Speaker: The hon. Member said that the British Officer may have a reserved mentality, but this is a Reserved Bill.

Shri B. Das: I do not feel satisfied that we have the defence forces in India properly organised and equipped, to suit the sovereign nation of India. Even though I am supporting this measure, I want to be assured of how this Bill would be to the interests of India.

An Hon. Member: Then do not support it.

Shri B. Das: I am not here in a debating society. I am speaking with all the authority in my possession as the oldest Member of this House, as one who has fought for the freedom of India and I want that my freedom must be complete, that my sovereignty shall not be weighed down by the intrigues of British or U.S.A. officers.

There was a Commander-in-Chief—I think his name was General Buscher—and he was detained by the former Defence Minister for 6 months to write up the history of the Defence Forces. What happened to that document? What happened to the lakhs of rupees which we paid to

[Shri B. Das]

General Buscher for reorganisation of the Defence Ministry. I wish to tell my hon. friends in this House that it was the same General Buscher who delayed the march of the Indian forces to Hyderabad. We all know that Field Marshal Auchinleck who had retired in India is now living in Karachi spying on the American bases there. He has taken Rs. 3 lakhs as loan from the Pakistan Government to start a Carpet Factory. It is strange to see that big masters of England have to borrow a lakh or two for the purpose of starting a carpet manufacturing factory in Pakistan. He is there either to spy on me or to spy on the American bases that are being built. I do hope that the Defence Minister......

An Hon. Member: The carpet industry is a fake.

Shri B. Das: I do hope the hon. Defence Minister will tell us what writings his predecessor received from General Buscher for wasting so much money for writing the history of the Defence Forces in India for so many months. There was another gentleman who got out to India at the time of partition. I think it is Compton MacKenzie who was asked to write on the part played by Indian soldiers in the last war. He wrote the book, but Pakistan said this includes both India and Pakistan. It cannot include 'Bharat'. So that book was never published. I would take this up in another place. The Defence Ministry must explain how much money was spent on Compton MacKenzie's remuneration and passage or on General Buscher's maintenance and passage and what value did we derive. Have they been shelved in the archives of the Defence Ministry? Has this sovereign Parliament nothing to do with that? Was it the sole property of the then Defence Minister who was here a few months ago and who is my worthy colleague on the floor of this House even now? I cannot understand why we are kept aloof and why we are not taken into confidence and I am giving this background because I have a motive behind.

I think the whole defence policy of the Government of India as it is moving in this slow coach fashion is entirely wrong. It is very much wrong. We must think in our own way. We must reorganize the defence forces. I cannot say whether the Defence Ministry is responsible, but the three arms are fighting with each other. The three arms of defence in India are discontented. The three Commanders-in-Chief are absolutely not co-ordinating. Who is co-ordinating them? Do you mean to say that our civilian Secretaries are co-ordinating them? I cannot say that they can do that with certainty. The other day I was hearing the debate going on in the other House and I found that one scandal after another was being spoken of. The jeep contract was a bad one and I have reviewed it in the Public Accounts Committee and I shall revert to it again and again. It is one of the worst scandals that could ever happen under the present Ministry. It is still under inquiry by the Government of India. I am not satisfied with the reply which the hon. Defence Minister gave on the floor of the House the other day......

The Minister of State for Finance (Shri Tyagi): I wonder whether this is a proper occasion to discuss that?

Shri B. Das: I am trying to say that the defence forces are not properly co-ordinated, because something of the past, of the years 1945-46 of Mountbattens, General Buschers and Auchinlecks is still permeating the Defence Ministry and this retards a complete re-organization.

Mr. Deputy-Speaker: It is one o'clock. Is the hon. Member concluding his speech?

Shri B. Das: I will speak for half an hour more.

The House then adjourned till a Quarter Past Eight of the Clock on Thursday, the 24th July, 1952.